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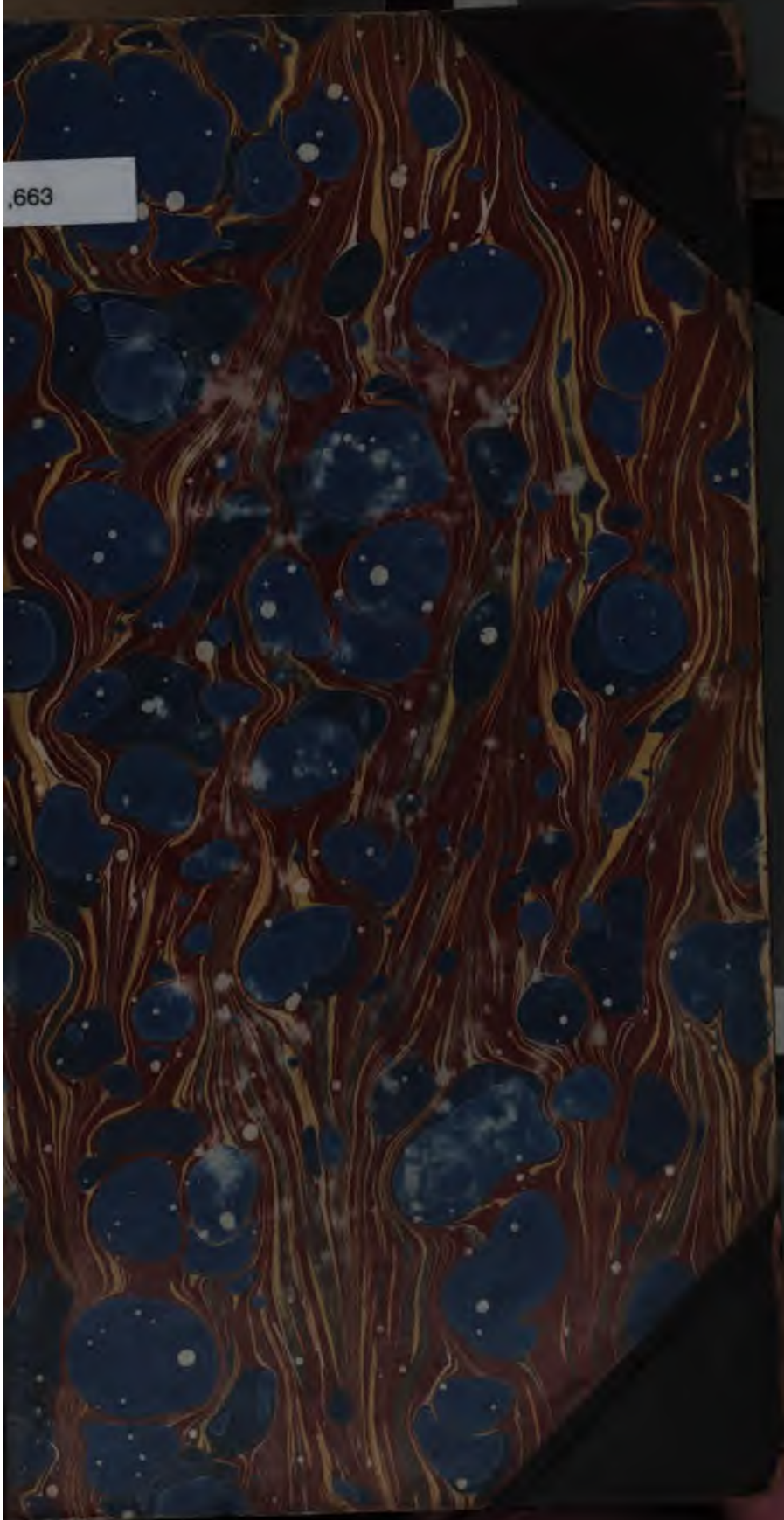
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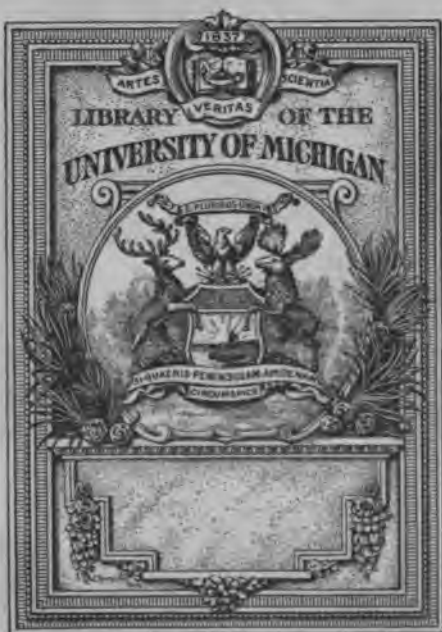
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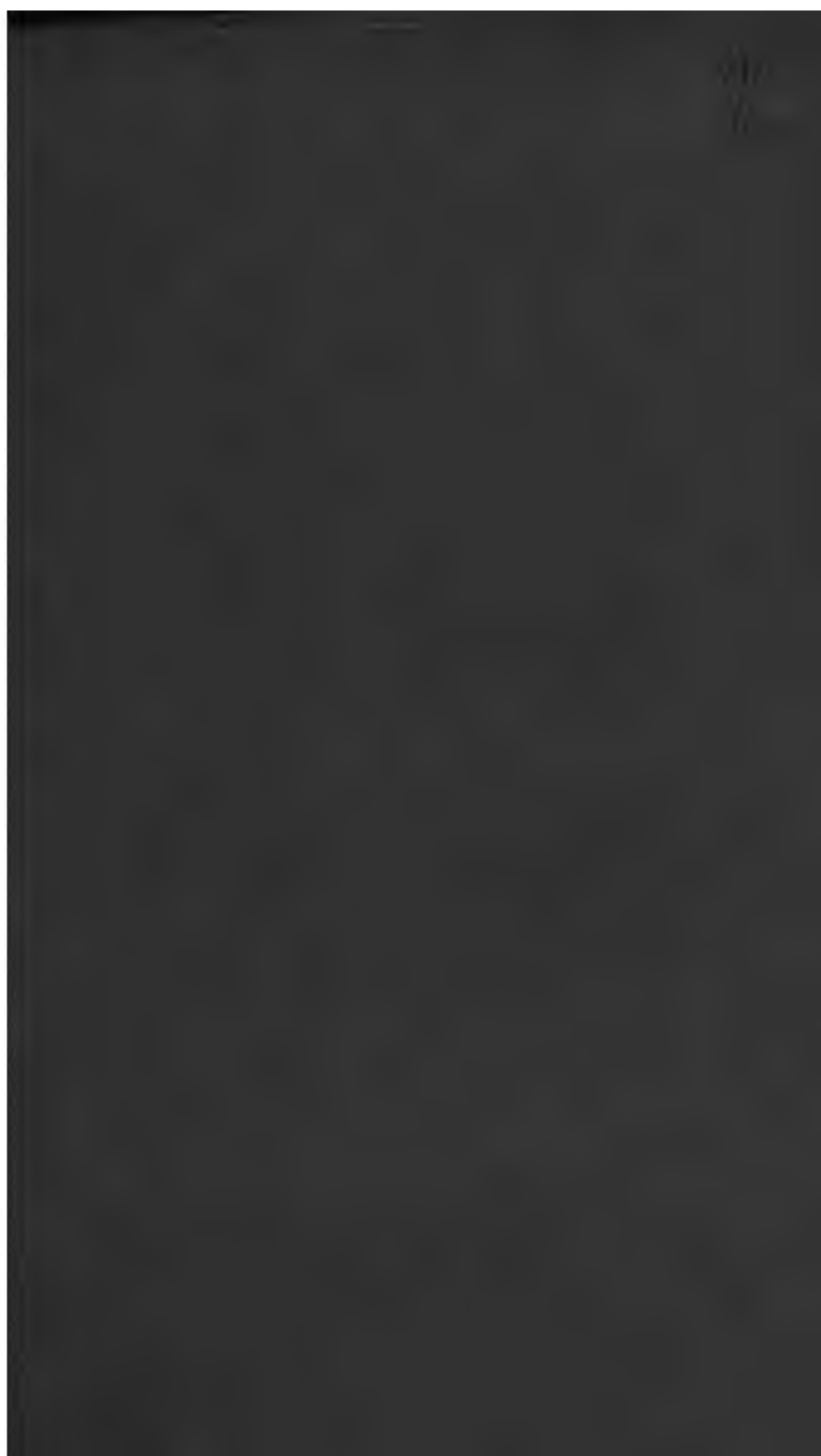
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THE
DUBLIN REVIEW.

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THE
DUBLIN REVIEW.

AUGUST 1841.

- ART. I.—1. *The Cape of Good Hope Government Proclamations from 1806 to 1825, as now in force and unrepealed, and the Ordinances passed in Council from 1825 to 1839, with an Appendix containing Acts of Parliament, Orders in Council, &c., enacted and published since 1825, and which have the force of law in this colony.* By Mr. Walter Harding. Capetown: 1838-40.
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THE comprehensive title of our paper casts upon us the duty of treating its subject in a manner as comprehensive; and we can only discharge it by treating that subject as being, above and before all beside, one of a highly religious

aspect. Our views are out of date in the island, once, of saints; and especially among her sons who trade in chrematology, under the firm of Smith, Ricardo, and M'Culloch. But as we can never consent to entertain any history of this earth of ours, which should eschew all consideration of its very heart and core, the world of spirits, so, if we would utter a good word to-day upon the physical well-being of a portion of our globe, we must, consistently with principle, premise somewhat that regards the moral prosperity of its people. Having traversed all the human fields of enterprise in this matter, we cheerfully decide to remain members of that school of social and political ethics which He founded, who said, "Seek first the kingdom of God and His justice, and then," all temporal boons, all excellent equations of supply and demand, "shall be added unto you!" To point out therefore the existing emergencies of our African province with better effect, and at the same time to suggest the natural and obvious remedies, we cannot do better than trace with brevity the religious lineaments of its present aspect, after which the conclusions which we shall draw will need no better vindication with our readers than our premises will afford. And first, as to the Church in South Africa, we shall endeavour to present our readers with some details of interest. From the Church we shall naturally turn to glance awhile at the sectaries around her.

It is difficult to define with certainty the precise amount of the Catholic Cape colonists, at the time of the permanent occupation of the settlement by Sir David Baird and Sir Home Popham. That population was a very mixed one, there being scarce an European nation which, even at this day, cannot lay claim to many of its members. Perhaps its central position, and especially its proximity to India, occasioned a large influx of Portuguese and Venetians, or Genoese, at an early period of the colony. Perhaps from these or other local causes, the atrocious Dutch laws that scourged Ceylon became of less frequent enforcement here than elsewhere, and by this concession to a sounder policy than Dutchmen have in this regard usually exhibited, their persecuted countrymen, as well as Catholics from other countries, were tempted to migrate hitherward. The deficiency of statistical information upon this head from the colonial archives, must be our excuse for citing the testimony of old Dutch and German colonists still living in the colony; who assert that under the Hollander the Church could num-

ber ten thousand children within its borders. This is probably the harmless exaggeration of men who turn from a woeful present, with a sigh for the less unhappy past. But whether the abandonment of this valuable outgate of European civilisation date from an earlier period or not, it is sufficient for our purpose that a heavy debt is due from Catholic England for her share in the remissness, which, from the British conquest in 1806 to the arrival of the first Vicar Apostolic of the Cape in 1838, was rapidly effecting the utter extinction of the very name of Catholicity in that abandoned country. Sir David Baird, it is known, found three priests of Dutch lineage among the inhabitants; and, anxious to gratify a morose bigotry against the Church, which greatly darkens the lustre of his military prowess, he determined to strike a blow which should annihilate our hopes in that quarter. For that purpose, making use of a prerogative bequeathed to him by departed governors of the Stadthouder, which had authorised them to banish, without trial or assignment of cause, any obnoxious colonist, he seized the persons of the three clergymen and put them on board of a ship bound for Mauritius, from whence they never afterwards returned. This summary and speedy achievement was effected within the eleven months during which Baird continued after his conquest to hold the supreme command, until he was relieved by the Earl of Caledon. It may be as well to remind our readers that the same Sir David Baird had previously signed the articles of capitulation proposed by the Dutch governor of the town and castle of Capetown, Van Propthalow; the eighth article of which is as follows: "*The burghers and inhabitants shall preserve all their rights and privileges which they have enjoyed hitherto: public worship, as at present in use, shall also be maintained without alteration.*" Things seem to have gone on in a dull course of indifferentism and liberalism from this time onward till now; and it is impossible to refuse even greater blame to the tameness and muteness of the professing Catholics in the colony, for not striving to better themselves, than to those transmarine brethren who should have sought them out in their far house of bondage. Yet we must remember that till 1827 a free press did not exist; it was a boon not as yet extorted from ministers, who, where they dared, preferred to govern Englishmen by foreign laws, when their own laws were not arbitrary enough. The same Dutch code forbade the colonists to hold public meetings; and the only instance which

we remember of even an attempt at one, is recorded in the proclamation of Lord Charles Henry Somerset, the governor, dated the 24th of May, 1822, which warned the starving colonists of Albany, that, in attending a proposed meeting for petitioning the king and parliament for a grant of rations, or other temporary relief, they would be "guilty of a high misdemeanor, and severely punishable for such offence!"* More recently, in 1832,† Sir Lowry Cole, then governor, was graciously pleased to re-enact the old law, with a qualification that such meetings might be held, with the permission of the government first had and obtained! This law, however, being limited in its duration, and having since expired, it would seem that the lieges may now meet and discuss public measures as freely as they were wont at home. All this while—for we have somewhat anticipated—the pressing wants of our colonial brethren were administered to at irregular intervals by a chance priest, whom accident might bring among them, or whom the vicar-apostolic of the Mauritius could contrive to afford to the claims of this portion of his too-extensive mission. Year after year the unhappy results of their desertion made themselves manifest, in the desolating apostacies which assimilated by degrees the most Catholic of the families to the Protestants or Naturalists among whom they dwelt. Indifferentism of the grossest order had always prevailed among the latter; the former very soon became as bad as their less enlightened neighbours: even the personally orthodox, and the well educated, men, who would have parted with life sooner than the truths which they knew so well and prized so highly, nearly in every instance, where remoteness from Capetown or any other cause rendered it probable that a Catholic school or chapel would not readily be established, preferred that their children should be taught the pernicious tenets of Calvinism, on the plea which they afterwards urged to their present vicar-apostolic; that "it was better for their boys to have a false religion than to have none at all!" We have learned from our own observation, as well as from the startling facts communicated to us from the clergy at large, that the prevailing vice of all, Catholic or Protestant, English or foreign, who during our occupation of the colony have sojourned within it, is that blighting one, indifferentism: and it is against this especially that the zealous ecclesiastics who now administer their spiritual affairs have hitherto striven, with

* Proclamation and Ordinances, vol. i. p. 238.

† Id. vol. ii. p. 184.

endeavour to uproot and destroy it. Never was there a country where religion was less regarded, either in the abstract or in practice, than was this colony, when Dr. Griffith and his lordship's reverend subjects landed there three years since! And yet a new element had, before this period, begun to show itself, which has since then hastened on towards the maturity it will shortly reach; and which is welcome enough at any rate, as it neutralises the smother and subtler venom of indifferentism—we mean the no-popery fanaticism. For its rise we have to thank a man, now we believe gone to his account, of whom to say no evil as a man or a public officer we must of necessity say nothing; and member moreover of a family hateful to all foes to tyrants, and all friends of the Church, the Lord Charles Henry Somerset. Reformation is peculiar in its blessings received. Its best patrons in high places, in every age, have been men whose protest against Popery at large, seems to have been made more in contemplation of our moral than our dogmatical theology; and in asserting spiritual freedom, to have rather intended a licence for their ignobler element. Hence, when dangers howl at the portals of Lambeth palace, gallantly steps the King of Hanover forward to the rescue; when “eight peers,” including “Lord Mount Coffeehouse,” hold in Dublin “a great Protestant meeting,” one resolution, affirming the beauty of *his* purer religion and the ugliness of *our* fallen faith, is commended to the inspired lips of the Lord Marquis of Waterford; and, equally, a decrepit and expiring penal law finds its latest avenger upon the old gentry of England in his excellency Lord Charles Henry Somerset. At the risk of fatiguing our readers with an episode, we cannot refrain from detailing in a minute fashion the particulars of the outrage we refer to. The narrative will both preserve, for our own and our children's execration, the remembrance of that last oppression of the penal laws, till now unrecorded altogether; and vindicate to the world, long after the inscrutable providence of God shall have ceased to endure the faction which wrought these wickednesses, those feelings of disgust and indignation which they must necessarily inspire in every liberal and well-regulated mind. Well is it to date the beginning of the strife in Southern Africa from a wrong fruitful of good deserts unto our insulted fellow-Catholic, of shame and dishonour to the governor who perpetrated, and the ministers who abetted, the deed! The facts are as follows; the documents which we for the first time pub-

lish in proof of their accuracy of statement, have been obtained by ourselves from the high-minded victim of the story; whose honourable reluctance to publish them on his own behalf, at the time that the events took place, cannot surely be misconstrued by any heart that appreciates a soldier's feelings.

In 1807, Colonel Bird, a Catholic gentleman, of a house illustrious in Henry's persecutions, obtained through Mr. Windham, then holding office in the Grenville ministry, an appointment to the office of Deputy Colonial Secretary at the Cape of Good Hope, with the promise of promotion at the first vacancy of the principal post in that department. He was avowedly sent to that colony as a compensation for a higher appointment in Ireland to which he had been recommended, but which he could not hold without first taking the Protestant oaths of office; it having been soundly considered, that even supposing an obnoxious or penal law to have any force in our colonies in general, which, though within the *dominions*, are without the *realm* of Britain, it could at least be contended, that within a colony conquered from the stranger long after the enactment of that law, and possessing, no less by express capitulation, than by the unalterable principles of international jurisprudence,* its own old laws and usages, no such law could have any operation, even though astutely strained and twisted for that purpose by a Sir John Scott at the bar, or a Lord Norbury upon the bench. Moreover the patent of Lord Charles Henry Somerset himself has satisfactorily settled this question. After reciting the possible expediency of "certain offices and places" in the colony being filled by persons, "observing other evangelical modes of worship than that of the Church of England," it proceeded to direct, that in such cases the Canada oaths should be "duly administered to them *in lieu of all other tests and oaths whatsoever*." The vacancy in the chief-secretaryship which occurred in 1818, first raised Colonel Bird to that high office in Lord Charles Henry Somerset's government. Similarity in political feelings, for both were Tories of the first water, had cemented a private friendship of as firm a nature, as it was competent to that nobleman to contract with any living man; and it lasted till he quitted for a time the colony, leaving, as acting governor in his stead, the late Sir Rufane Donkin. Towards that gallant soldier he had no friendly feeling, be-

* See Fabriges & Mostyn, Cowper's Reports.

cause, as was alleged and believed, his appointment had frustrated a mercantile arrangement of some pecuniary profit, which Lord Charles had been previously contracting for with another aspirant to the office, who had offered a larger percentage upon the salary of the place than the regulations would have allowed his lordship to exact. Consequently, he expected that his colonial secretary would never lose an occasion of embarrassing the obnoxious Sir Rufane by every means which a practised man of routine could employ against his inexperienced principal. Faithful to one of the *Canada oaths*, however, the secretary thought otherwise, and did his best to deserve public pay by promoting public service, even under Sir Rufane Donkin. Lord Charles Henry Somerset's absence from the colony began in 1819, and ended in 1821. On the 21st December 1820, he addressed a letter from Paris to Colonel Bird, which was the first expression of his schoolboy vexation at his cordiality with Sir R. Donkin, the acting governor. On his return to the colony, he took instant steps to gratify the spleen he felt, by the total ruin of its object. A wretched Orangeman from Cork, named Parker, who had failed in a speculation which he had set on foot in the Drostdy of Clanwilliam and district of Worcester, and had taken it into his head, that not himself, but the colonial secretary was answerable for his failure, was the fit instrument employed by Lord Charles Henry Somerset upon this occasion. His long and frequent conferences with the governor led to the private examination of a reverend parson, named Dennis, for the purpose of proving to the satisfaction of Lord Bathurst, that the colonial secretary "never attended Protestant service," and had even "declined attending certain meetings of the Capetown Bible Society"! Their next attempt, in conjunction with the obsequious Sir John Truter, knight, and Dutch chief-justice under his English conquerors, was to get up, at that gentleman's house, a meeting of the colonists to address the king, with thanks to his majesty for having permitted "that truly Protestant nobleman, Lord Charles Henry Somerset," to return to the colony, and with prayers for the removal of the colonial secretary, "who was a papist"! No respectable persons being found who would sign this document, the meeting adjourned *sine die*. While Mr. Parker's and Mr. Dennis's valuable evidences of Popery were still under Lord Bathurst's pious investigation in Downing street, nothing more could be done against Colonel Bird for the time; and so the governor turned his arms against

the solitary priest who was then at the Cape. Sir Rufane Donkin had granted to the Rev. Mr. Scully a salary of 100*l.* per annum, for his spiritual attendance upon the Catholic soldiers, who formed more than a third of the castle garrison. This salary Lord C. H. Somerset at once withdrew, and he told Mr. Scully, in the conference upon the subject which followed, that "he would willingly walk a thousand miles barefooted, to effect the extirpation of every papist in the colony!" Soon afterwards there arrived a dispatch from Lord Bathurst, acquainting Colonel Bird, with much phrase of compliment, that it would gratify the secretary of state very much, if he could consent "to put a stop, by *some act of conformity,*" to the injurious imputations afloat against him, "of evincing sentiments hostile to the Protestant establishment." Colonel Bird of course declined so tempting an apostacy, in a letter which, though intended for Lord Bathurst's eye, the governor had the meanness to suppress, wherein he relied upon the grounds above referred to for his exemption from the Popery Act of Charles the Second. To counteract any proceedings which his victim might resort to in Downing-street, the Orangeman Parker was sent home at the government expense, and instructed to appear in public as a suffering saint and confessor of the Reformed faith under a Popish colonial secretary. Sir Rufane Donkin, being then in England, disabused Lord Bathurst as to this fellow's pretended claims for redress; but from the graver charge of popery in *place* there was no retreating. The zealots in both Houses beset the Tory chiefs with loud murmurs on the subject, and five of the lords who wear sleeves of lawn, threatened the ministry with loss of souls and of their own right reverend votes, if they retained any longer Colonel Bird in place. Accordingly the following despatch from Lord Bathurst was soon after obtained by Lord Charles Somerset.

"No. 62.

"*Colonial Office, London, 20th June 1823.*"

"MY LORD,—Representations having been made to this department, in which it is alleged that Colonel Bird has not qualified himself for office, by taking the oaths which are required from persons appointed to offices of trust upon the civil administration of the Cape of Good Hope, I have to desire your lordship would direct an inquiry to be made on this subject, and, in the event of its appearing that this prescribed regulation has not already been complied with, I have to instruct your lordship to cause an intimation to be given to Colonel Bird, that it is necessary he should no longer delay to complete an act which, in conformity with general

usage, should have preceded his entering upon the duties of his office ; and I have at the same time to direct, that, in communicating to me the result of your inquiry, your lordship would cause a statement to be transmitted, explaining the circumstances under which the usual proceedings, with regard to administering the customary oaths of office, were omitted upon the occasion of Colonel Bird's assuming the direction of the office of Secretary to the government of the Cape of Good Hope. I have the honour to be, &c.

" To the Lord Charles Somerset."

" BATHURST."

If the British minister was guarded in the language of his mandate, the governor was uncompromising in the fulfilment of it. No time was lost in forwarding this despatch enclosed in an autograph letter to Colonel Bird, of which the following is a copy, *verbatim et literatim*. We cannot help the phrase and style of the slipslop writer, for whom the cabinet was never so congenial a scene of occupation as the turf or the prize-ring.

" *Newlands, September 23, 1823.*"

" SIR,—In transmitting to you Earl Bathurst's dispatch, dated 20th June last, I beg you to inform me if you are prepared to take the oaths prescribed by the 3d clause in His Majesty's instructions to me as Governor of this settlement, viz.—'The oath mention'd in an act pass'd in the first year of the reign of George I, as alter'd and explain'd by an act pass'd in the 6th of Geo. III;' and also, make and subscribe the declaration mentioned in an act made in the 25th of Charles II. Upon receiving your answer in the affirmative, I will appoint a time when I will administer to you the above oaths in presence of the chief-justice. I remain, sir," &c.

" CHARLES HENRY SOMERSET."

" To Colonel Bird, Colonial Secretary."

Colonel Bird's reply stated, that on reference to the oath book at his office, there would be found an entry of his having taken and subscribed "all customary oaths;" but that in further compliance with Lord Bathurst's orders, he begged to forward to him through his Excellency, the chief-justice's certificate of his having on that very day (the 24th September), taken and subscribed "the customary oaths therein specified." These were the Canada oaths. At the same time, discovering the duplicity of the governor in having kept Lord Bathurst in the dark as to the grounds on which he rested his omission to take the Protestant oaths of office, he forwarded the complete statement of his own case to Downing-street, having obtained the support of a friendly nobleman of high rank who regularly attended there, and pressed the

matter upon the secretary of state. However, the law officers of the crown, who in general take the precaution of sifting the inclinations of their puissant clients before they give opinions, having been consulted on the question of the patent, advised strongly against its legality, and against the right of Colonel Bird to claim the exemption which he sought. In May 1824, his signature ceased to appear at the foot of the governor's proclamations and ordinances; and his successor was soon appointed. Nor was this all. As if the irretrievable ruin of one who, in war and peace, had honourably, for thirty-one years, served his sovereign and his country, were not sufficient to content the malignity wherewith heresy pursues the children of God,—on the 19th of June 1824, and therefore after he had ceased to be answerable as a public officer to any tribunals but the constitutional courts of law, Colonel Bird received from the Commissioners Bigge and Colebrooke, then in the colony, a list of charges which they had been *ordered* by the secretary of state, Lord Bathurst, to compile against him! These two men had been invested by letters-patent under the privy seal, in the previous year, “with full power and authority to inquire into all the laws, revenues, regulations, and usages, prevailing in the colony; and into every other matter in any way connected with the administration of the civil government; the state of the judicial, civil, military, and ecclesiastical establishments, revenues, trade, and internal resources thereof.” It may as well be mentioned here, that to their recommendations is due the only slight check which now exists upon the governor's enormous power in the appointment of a legislative council. It will be seen from these letters-patent, that it was Lord Bathurst's duty, if sincerely anxious to discover the justice or injustice of the case of Colonel Bird, to have ordered this investigation before he decided the question for himself, by removing him from his office. After that decisive step was taken, while further inquiry was but a fruitless mockery of truth, to conduct it before commissioners, so appointed as these were, was an illegal measure, insulting to the ordinary courts of law, and deserving the impeachment of the minister who resorted to it. Yet Colonel Bird waived his right of protest, and submitted his case to their jurisdiction. The “list of charges” consisted of those only, and none other, which, two years previously, had been urged against the colonial secretary by the man Parker; and he was now called upon to answer them for the first time, because they were supported by Parker's

own affidavit. That those who come after us may learn to estimate the faction, which even now proposes "the rooting out of Popery" in Ireland, we shall here record, as samples of the whole, three of these precious charges which good Lord Bathurst and his emissaries gravely asked an English gentleman to answer.

"Charge 3. That the Rev. N. R. Dennis, chaplain to the forces, and acting colonial chaplain, stated that the cause of the colonial secretary absenting himself from a meeting held for the establishment of a Bible Society, was his being considered a Roman Catholic; that he never attended the Protestant service, or received *the Communion agreeable to law* (!); that, on Mr. Parker's representing the insidious persecution he had received, Mr. Dennis was forcibly struck with a conversation he had had with Colonel Bird, respecting Popish priests; that he was convinced that Colonel Bird's being a papist was the cause of the treatment Mr. Parker had experienced. . . ." "7th. That through liberal remittances made by Colonel Bird from the Cape of Good Hope to his brother, the Rev. John Bird, the Jesuit priest at Preston,* and to his sister, Miss Bird, who conducted a nunnery or convent at Taunton, in Somersetshire, this and the Jesuit establishment at Stonyhurst have largely prospered. . . ." "9th. That Colonel Bird *has hatched a conspiracy* for supplanting Protestantism by Popery! in support of which, and through his direct influence at the Cape, Roman Catholics were appointed landdrosts of districts, political commissioners of Reformed Churches, and presidents of the Matrimonial Courts; whereby these interests are placed at the mercy, and under the control of *Papists and Jesuits*! That the instances in which appointments of this nature have been made, are that of Captain Charles Trappes, a Catholic, to be provisional magistrate of Bathurst; Captain Jones, a Catholic, to be landdrost of Albany; the landdrost of Swellendam, *whose father was a Jesuit priest*; and, subsequently, Captain Trappes to be landdrost of Worcester."!!!

Well might the pious Reformed ones blush for shame and holy indignation! Bathurst! of all places under the sun of Afric! Bathurst! become the "provisional" portion of a hungry papist, whose very name recalls days of dungeons, and sliding panels, and sinking floors, "*et quicquid Græcia mendax audet in historiâ!*" And when the noble secretary of state might have dried his tears, because the deliverance of his captive namesake had arrived, and have sung with the emancipated district, "*Laqueus contritus est*" (Trappes is departed),

* The zealous and excellent English provincial at this moment.

"et nos liberati sumus" (and our new landdrost will be a Dutch Reformed one), his joy was damped by the remembrance that Bathurst had not been abandoned by its cruel ensnarer until he had used it successfully as his bait to entrap the more desirable Worcester! So Albany, named 'God wot' after the truly-Protestant prince the Duke of York, the goodly Jachin of that Church whose lovely Boaz was his brother of Cumberland, had become an adultress, and, lapsing from her former vows, had fallen fast away into an idolatrous embrace! Much comfort was it still to find that the third landdrost, the supposed monster of Swellendam—the nondescript *son of a son* of Loyola, and logically speaking therefore the *grandson* of St. Ignatius himself, was much maligned therein by popular rumour, he himself being a dozing worshipper within those whitewashed walls wherein his departed progenitor had won much credit and desert as elder, or other spiritual Dogberry, according to the discipline of the Dutch Reformed Church! As to the alarming amount of offices enjoyed by live papists, conveying to "the spiritual mind" the idea of whole platoons employed to papistize the lieges at the Cape, it did somewhat relieve the harassing solitudes of his majesty's secretary of state for the colonies to be made *first* acquainted with the circumstance, that, as often as he had been pleased to ratify his Excellency's appointments of landdrosts, so often had he warranted, by implication, appointments of political commissioners of churches and presidents of matrimonial courts in their respective districts, those offices being inseparable from that of landdrost!

For ten months the commissioners protracted their inquiry, amassing a large body of evidence, both oral and written, but altogether refusing to make any report upon the *important* matters in discussion. That all record of what these wise-acres did may not be lost, we hasten to procure for them, by the following extract from one of their laborious letters of enquiry addressed to a public functionary in the interior, the wondering applause of all who love to dwell with Bombastes Furioso, or Chrononhotonthologos

"We feel ourselves compelled to address you on a question which has arisen in consequence of a reference to us by Earl Bathurst, of certain statements that have been made upon oath, in which it is alleged, that the appointment of yourself and others professing the Roman Catholic religion, was effected through the influence of Lieut.-Colonel Bird, with a view of introducing Popery into this Colony, and of advancing the interests of the Society of Jesuits! As

we cannot venture to report upon these statements without obtaining the best evidence their nature admits, we feel that we shall stand excused by you in requesting to be informed, whether you have been educated in, and now profess, the Roman Catholic religion? *and whether you are a member of the Society of Jesuits?*"

We regret much that no report has ever been made by such valuable functionaries, or if made, that it has never been published. The only practical result indeed which that inquiry was known to have produced after being brought to its close, was the extrusion of one of the commissioners from Colonel Bird's drawing-room, into which his stolid insensibility had urged him to penetrate, in order to "bestow his tediousness" upon that gentleman, in the shape of a morning visit. But the real grievance—the ruin of the gallant martyr to faith and honour remained, and has abided until now. The paltry pension which Lord Bathurst's remorse did not deny him, barely sufficient to maintain him and his numerous family in the appearances of comfort and respectability, has not been increased in its amount, much less replaced by a restoration of office, although, in 1829, the alleged disabilities had ceased to be an assignable pretext in the mouths of his own party; and although, from 1830 to the present year, our colonial affairs have nearly without an interval been directed by the emancipators of the Catholics, pledged to take every measure to make their emancipation a real and practical one. But what can be said for Lord Bathurst and his colleagues? *quia obstructum est os!* Colonel Bird was not a liberal, but a tory of the strongest prepossessions; else political, and not religious, nonconformity might be feigned by discreet apologists of these later and less favourable times. Unhappily too, he was not even an Irishman, but an English gentleman of unsullied lineage. And then, as to the public, what had the Cabinet to apprehend, even had the Catholic remained in his transmarine office? The partisan attacks of the opposition, which was whig, and strenuous in the cause of our emancipation? The alienation of their own supporters, already equally divided for and against the Catholic claims, from the support of the Cabinet, half of which was already foremost in their advocacy? It remains, then, that unless the apprehended estrangement of the powerful house of Beaufort, or the prospect of enriching, at the public expense, one scion the more of that family, or perhaps some nominee of his own, influenced Lord Bathurst to do the thing he did, his lordship and his colleagues could only have acted under the reality of that low

fanaticism, which they thought it no shame publicly to pretend in this transaction !

It would seem, from the awakening spirit of polemical debate remarked in more than one quarter, soon after the event recorded, that the indifferentism once universal, and even now unhappily prevalent, had at least received a rude assault. We augur more favourable things for the country, where cant, and even hypocrisy, assail the Church, than where its presence fails to excite even the dislike of a stupid community. Perhaps, but for unhappy divisions among themselves, never extinguished until the arrival of their first vicar-apostolic, Dr. Griffith, the opportunity afforded them by the aroused curiosity of their fellow-colonists would have been long ago seized upon in the interests of Christian proselytism. To those scandalous dissensions, into which some infidel foreigners resident at the Cape, under their hereditary title of Catholic, led the small congregation at Capetown, we shall not make any further reference than to express our joy at their complete obliteration, and the utter removal of the object in contention. The Orange faction in the colony had hoped otherwise ; and their chief-justice, Sir John Wylde, Truter's successor, whose moral character justly entitles him to *their* most unreserved confidence, expressed as much from the bench, upon making an order of curatorship of the Catholic chapel, on the 10th July 1832. "Supposing," argued the counsel for the Catholic clergyman, "Supposing this chapel were to exist for very many years——" "I trust not," interrupted his honour ; "I trust to see it shut up, and the congregation no longer frequenting it." In case his honour is hopeful now of favour, notwithstanding his learned relative was the attorney-general under the whigs, we shall not be very much surprised if the insertion of this interesting little anecdote, on our part, has considerably increased his chances of promotion. In 1838 the Right Rev. Dr. Griffith, O.S.D., landed in the Colony to assume the functions of Vicar Apostolic, attended by a few priests, whose number was yet diminished by the sudden death of the vicar-general, Dr. Burke, which happened shortly afterwards. This loss has since been compensated by the ordination to priest's orders of the bishop's younger brother. This little band of missionaries is thus distributed. At Capetown the bishop officiates, assisted by his vicar-general, the Rev. Aidan Devereux, an inextimable clergyman, whose spiritual services as chaplain during seven years had previously endeared him to the unhappy inmates of the goal at Wexford.

From the government his lordship receives the small salary of 200*l.* a year, to provide for himself and his assistant priest at Capetown, besides the disbursements periodically necessary to defray the heavy costs of the long and painful visitations of the remoter parts of his immense mission, embracing, as it does, both the eastern and western divisions of our South African territories. Within his ordinary or parochial jurisdiction at Capetown, there are six hundred residents who profess Catholicity, and about four hundred more, indifferentists, from choice or evil education. To support himself and his chaplain, they have been obliged to open a classical academy in their house, which is sufficiently frequented by scholars, paying 12*l.* each per annum, to defray the interest of the purchase-money for which, the house, premises, and the chapel ground have been mortgaged, according to the usual method of transacting sales of real estate at the Cape. The arrival of an Irish regiment at Capetown swells the number of the congregation by two or three hundred additional communicants. To accommodate his flock, his lordship has opened a temporary chapel in his house, but is about to build a church upon his newly-purchased ground as soon as his funds will permit him. Simon's Town, 26 miles E. S. E. of Capetown, containing about thirty Catholics, is occasionally visited by the bishop or Mr. Devereux from Capetown, as are Stellenbosch, 34 miles E. of Capetown, and the Paarl, 50 miles to the N. E., each of which districts contains about a dozen Catholics. The actual population presents but little hope of a vigorous renovation of Catholicity; and the chief aim of their pious and zealous pastors should be to nurture the young in something else than the indifferentism of their parents. The whole colony presents a wonderful want of even material education; and yet there is no want of parental anxiety for its introduction. Of the pupils of their little classical academy, one half are sons of Protestants of respectability. The bishop's chief solicitude arises from the utter want of a free school of either sex,—the result of his pecuniary privations. The establishment of such an institution would do more than preserve from heathenism or sectarianism those he has; it would be the means of ensuring to him many whom he has not. And if the Ursulines, or the Sisters of Charity, or the Ladies of the Sacred Heart could establish themselves at the Cape, they would be resorted to by poor and rich of every colour and creed: by the former for the necessities of outward civilization; by the latter for its elegancies; by all for the priceless possessions whereof the

others are but appendages and accompaniments. He who should contribute his services to effect an end so desirable, but which the straitened poverty of these zealous missionaries themselves, having "neither silver nor gold, scrip nor purse," cannot effect, would have achieved a greater triumph for the Church cause than can be obtained at a tenfold outlay of labour and money in any part of Protestant Europe. For, while no part of Southern Africa but demands with urgency the establishment of a poor school for both sexes, it is especially at Capetown in the west, and Graham's Town in the east, that these are needed for females. The devout sex, whose queenly patroness claims among her countless titles that proud one—"Destructress of heresies," did, in the order of Providence, prepare the way at the Kentish court for the coming of St. Augustine: and not alone ours, but many a heathen country, while yet untrodden by the bare foot of its monk-missionary, hath begun sweetly, and yet unconsciously, to draw itself to Christ, by the silver cords which a woman's hand has laid within its grasp. And unobserving would he be, who should dream of promoting religion among the naturalists in our Colonial possessions, by schemes of action wherein the male adults are to be prominent objects or instruments. The liberality and piety of Dr. O'Flynn, a Catholic physician long resident in Stellenbosch, one of the most delightful villages in the world, have placed at Dr. Griffith's disposal a very eligible site there, for such a pious foundation of any kind as hereafter his means may enable him to establish; and it would be there, that at an expense comparatively small, and almost immediately upon disembarkation, that the first colony of *religious* that ever visited the Cape of Good Hope, might be suitably and successfully located.

At Graham's Town, 480 miles E. of Capetown, important as the capital of the eastern division of the colony, and the seat of the lieut.-governor, there are two priests, the Rev. Thomas Murphy and the Rev. Joseph Griffith, who are attended by about four hundred Catholics, chiefly Irish, besides the soldiers of our communion in garrison there, generally amounting to two or three hundred more. One of these priests receives from government a salary of 100*l.* a year. The scarcity of money, and the very high wages which workmen earn in Albany, will long retard the completion of the church which they have begun to build. One of the priests occasionally visits, on the Great Fish River, 40 miles E. of Graham's Town, a few Irish yeomen, who are building a little

chapel; and at Fort Beaufort, 70 miles to the N.E., the Irish Catholic soldiers there, now amounting to three hundred, and the French, Dutch, and Irish farmers, in its vicinity. Hitherto these labours have been gratuitous, but we would respectfully ask Her Majesty's secretary of state for the colonies, and our Catholic members of both houses of parliament, whether they shall remain such any longer? and whether those who fill their country's armies do not deserve to obtain, at their country's expense, and wherever their duties call them, not only the daily ration of their material bread, but, what is at least as precious in their sight, the bread of life? The smaller forts more or less remote from Graham's Town, such as Forts Peddie, Bathurst, Cradock, &c., are also visited by these zealous priests, so far as their miserably scanty means will allow them. Their sunday school in that town is pretty well attended. At Port Elizabeth in Algoa Bay, and the adjoining district of Uitenhage, about 430 miles east of Capetown, comprising altogether from sixty to seventy Catholics of all nations, the Rev. Mr. Corcoran, O.S.D., is the resident missionary. He is entirely supported out of the slender funds of his lordship the vicar-apostolic, as the number is considered by the government to be too small to justify the outlay of any public money there. It is only when the congregation can number a hundred souls that the governor will even entertain an application for the support of a priest. It may be as well to remark in this place, that the senior chaplain of the Anglican persuasion at Capetown derives from the colonial treasury the yearly salary of 700*l.* for his duties, which are *strictly urban*; that his brother clergyman at Graham's Town has 400*l.* a year; that the worst paid parson of the same Church receives from the crown 150*l.* a year; that the first minister of the Dutch Reformed Church at Capetown has 400*l.* a year, and his two assistants 300*l.* a year each; and that, in every other locality, the minister of that Church has 200*l.*, and very often 300*l. per annum.* Not a farthing has been received by our fellow-Catholics in that Colony from the government, in respect of education, neither is any such assistance at present probable. And yet the respectable Wesleyan, who writes pious books about black men, and sends them home to his friends of the "Conference" to read at tea-time to rich and foolish old dowagers, asserts that "Roman Catholics," in common with sects among which his own is not, "have received, and still receive, *support for their religious and educational institutions,*" to such an extent as to make his

“Wesleyans in South Africa” feel that “the Colonial government has not even done them justice”!!*

A colonial possession of Great Britain, the Cape is in some respects the common ground of all Europe, nay of all the commercial world. It is the marine Oasis, the ocean half-way house, of all the pilgrims of those briny deserts that divide and connect together the continents and archipelagoes of the terraqueous globe. Beside itself, there is no depôt within a thousand miles and more, where ships and seamen may repair their losses, or recruit their resources. Emigrants, deported upon the private speculations of a well-known bankrupt city-trader, or, more mercifully, conveyed in ships chartered at the government expense, and superintended by officers responsible to government, are glad to find in Table Bay† the supplies of water, vegetables, and livestock, and the momentary relief to the monotony of their long voyage, but for which the prospect of high wages and cheap food in their Austral-asiatic home, would scarcely counterbalance the perils of famine and distemper upon the road. As a military post and naval station, and a preparative to the heat of Ceylon and British India, we need not here recite the famous testimony of Lord Wellesley, nor the corroboration of his judgment, by our second expedition to the Cape, and our subsequent experiences. Our merchants know the advantages which their China trade derives from the Cape of Good Hope, and will derive so long as that colony prospers. The whalers of all nations find among the seas which roll from the Cape to Van Diemen’s Land, no port of shelter for themselves, or refreshment for their crews; and the barks which, under many a flag besides the British, carry the produce of European civilization to Java, Timor, Singapore, Madagascar, Bourbon, Mauritius, and the isles of

* Boyce’s Notes on S. African Affairs, &c. App. xxxiii.

† We suggest to the Emigration Office, that in every port where an emigrant ship touches, the Catholics on board should either be allowed to visit their priests on shore, or that, *at the ship’s expense*, boat accommodation should be provided for the priests to and from the vessel. The want of this arrangement has been severely felt by the missionaries at Cape Town, since emigration to South Australia, New Zealand, and Port Philip, has begun, and emigration to New South Wales has increased tenfold. Scarcely a ship of the kind but has many Catholics on board; and the priests at Cape Town must therefore choose between the painful alternatives of leaving these poor people with their spiritual wants unadministered altogether, or of taxing for their sakes the slender funds of which they are possessed in trust for the spiritual wants of the Cape colonists only. A boat’s hire is very high in Table Bay: it is never less than six shillings, and in rough weather it may amount to twelve pounds.

Africa, Asia, and Oceanica, confess the foresight of the prince who saw in the "Cape of Storms" the future mariner's "Good Hope." The invalids of India, and even of Mauritius, as well as those of foreign settlements in the great Indian Ocean, come yearly thither for interment or restoration, and would bless for ever the Catholic munificence, which should supply them from Europe with a *religious hospital* for their reception, under the pious charge of the daughters of St. Vincent à Paulo, or other sisters, emphatically of charity. It should be, not an English, but an European task; nay more, not European, but Catholic! The desolate criminals upon Norfolk Island, whom freedom must not approach even in the shape of the freeman, have, it is said, called down pity from imperial Hapsburgh, and pious alms from Ferdinand! But these were strangers to his name and nation; while they at the Cape, who "walk in darkness and death's shadow," have among them many Teutons. And still those few labourers who continue to emigrate hitherward, are, for the most part, and in many senses the *better* part, Germans from Hamburgh or the Rhine. And finally, as we stated at the outset, the Catholic colonists are men of many an European race; Irish abound, and English; but Dutch, Belgian, French, Portuguese, Polish, German, and Italian colonists swell their congregations. But what has Protestant Europe done? This is the great theatre of the missions of heresy. It has pushed forth here its shoots and suckers, although, so far the soil, thank God, has proved ungrateful: and they strive not. Independants, Moravians, Wesleyans, Scoto-Calvinists, Baptists, Anglicans, Bible Union, all the associations or societies of Great Britain have branches or affiliations at the Cape. And continental heresy, of many national shadings, has sent thither, too, its Berlin Evangelical Society, its Rhenish Society, its French Missionary Society, and the like, to sow tares and weeds upon the waste, which still awaits the good seed in the hand of the Lord's sower, and the dews of grace, and the ray that enlighteneth unto faith, and warmeth unto charity; for then only itself, reacting upon its agent, will bloom with life, and clothe its arid nakedness with a fruitful vegetation. And not only Europe has engaged herself in that fruitless and unblest labour, but her American offspring has begun to rival her in the same exertions, and in the same disappointments. For American societies, of various denominations,

have many colonies here, with establishments as well supported of accursed Mammon, as are the others we have mentioned. Far be it from the "full of goods" and the flourishing establishments of error, to see blessings in this prosperity! Are not the poor God's children? Long after their wealth has become as nought, and "rich men weep and howl for the confusion" of those glorious establishments which trusted in their temporalities, and which, having no hope in the Word of God, sought to "live by bread alone," much cause will God's Church derive for thankfulness from the remembrance of the holy covetousness, and the self-enriching poverty, wherewith she hath ever been inspired to say unto their erring brethren,—*"Da mihi animas,—cetera tolle tibi."* But not for this should Christendom forget its duty, nor refuse to derive example from its enemies. Its sons are "the children of the light," and long may they walk therein! but not for this should they suffer any longer "the children of this world" to be the wiser in their generation. The French Protestants are represented at the Cape,—where are the representatives of the national faith? The Berlin Society instil the poison of apostate Brandenburg,—will Munich not supply the antidote? The so-called Rhenish Society traduces the proud name it borrows, by the propagation on an African shore of the inanities which the men of the Rhine rejected with contempt and derision;—will they forego the glory of the deed, in the uttermost corners of the earth, and suffer them they have cast forth from among them, to wear their name, and assume to be their spokesmen?

The lay community in the Cape Colony affords the same anomalous appearances to an observing eye, that more glaringly present themselves in India and the West Indies, as the separate characteristics of those two widely distant portions of the empire. The West Indies have had their slaves, and now have their coloured peasantry, freshly endowed with freedom; so had and so has the Cape of Good Hope. India has within the British sway an enormous population, indigenous to the conquered soil, and holding our Christianity in abhorrence, and our institutions in dread; and, from without our jurisdiction, she has other nations more powerful than those who own our power, ready to turn against us the civilization they derive perpetually from our proximity, and certain to become our fastest friends and surest allies, when the sons of St. Francis Xavier shall have won

them to the faith and discipline of Rome, that old mistress of the nations. And the Hottentots and the Griquas within our African possession, and the Korannas, Namequas, Caffres, and Bechuanas, whose hordes are thick upon the frontiers, and the warlike Mantatees, and the powerful Zoulahs, and the rest of the ancient tribes of "Afric and her hundred thrones," waxing ever the mightier, as their seats are farther and farther distant from our ill-defined boundaries, and all holding different superstitions, each as opposed as the other to the gospel of truth, may well demand of us a trial at least of those charitable enterprises into which the magnitude of even the Indian mission has not deterred us from embarking ourselves. But the coloured inhabitants of the first-named class, which slavery first introduced, and then maintained amongst the European residents, present in their religious tenets an obstacle to good government, unknown to the West Indies, but very familiar to the Eastern, and which must be removed by those apostolically commissioned to teach, before, in their regard, material civilization can achieve anything. Being for the most part Malays, the slaves, while slavery lasted, professed in general the Mahometanism of that peculiar kind, and mingled with those local superstitions, which the Malays are known to observe. The other slaves remained destitute of any religious principles, as their masters would not permit them to embrace the Malay-Islam tenets, which they most desired, because of the charms and spells which were current among those people; and still less the sublimer doctrines of the Reformed Christian Churches, since these were regarded as the especial heritage of the always free, and moreover imported the manumission of the converted slave, under the provisions of the Dutch law. And even at a more recent period, when the minister of a reformed congregation in the interior, for the honour and glory of his Church, paraded before his astonished flock some of these unhappy beings, as candidates for what the Calvinists consider baptism, in an instant the meeting-house was deserted by one half of his "dearly beloved friends," thereby designating their resentment at the unwarranted intrusion. Nor was he afterwards able to conquer their repugnance to describe them as "Christians," or to persuade them to style the neophytes as more than "Christened people." But when emancipation came, the slaves without a religion were left to choose one, and, thanks to the heartless utilitarians who deliberately gave them a freedom from bondage, without the means of guidance

in their new estate that religion alone can give, the greater part joined the Malay worshippers, who received them with open arms; and it were well if the Moslem faith could boast only of these coloured proselytes! There are among them those whose skin is white, and whose European fathers have worshipped in the Reformed Church! Of the whites we can scarcely say more than may be gathered from a former portion of this article. Ignorance and indifference in ethics and in religion, and in all that is not valuable in coined monies, the natural result of the wretched dearth of education in every class, but chequered by the low bigotry of parson or minister, occasionally stirred up, and by local circumstances kept alive, are the characteristics of the Protestant community. The boors, whose splenetic movements have lately attracted more notice than they merit, are represented alike by friends and foes, as great eaters, great drinkers, large-limbed, *et voilà tout!* a character easily conceivable of Dutch Protestants, settled down for some generations in the lone Karroos of Africa, feeding fat their herds and the flocks upon the pasturages of the Bushmen, and themselves upon those herds and flocks; and having no care beyond these daily occupations, or the occasional nightly banquet, and the gross "vrolykheid" which prolonged it till the morning meal.* Even their apologist, Mr. Boyce, the Wesleyan missionary, confesses that they are a "lethargic horde, . . . at least two centuries in civilization behind the rest of the European world.† The moral corruptions, incidental to the state of slavery, have largely visited the Cape of Good Hope. Concubinage is by no means uncommon; the white Christian blushes not to take to himself a Moslem or idolatrous help-mate, without the decorous mockery of marriage-rites. And the powerful tribe of Griquas, numbering 20,000, receives that Caffre name, and its plainer low Dutch synonym of Bastards, from the mixed parentage it derives from Caffre or Bushman mothers and Dutch sires, itself so completely pagan and savage in tenets and instincts, as to have been made the chief object of a proselytism to Christianity, by the Independents, who even now are by no means assured that their motley pupils are not upon the eve of relapsing into the heathenism and nomade state, whence, by the teaching of a material civilization, they have apparently and for a while

* See "Thomson's Travels in Southern Africa," Vol. ii. p. 118.

† "Boyce's Notes on South African Affairs," p. 191.

reclaimed them. The Cape Colony contained, in 1838, not more than 65,000 white inhabitants, including the Malays; 53,000 freedmen of colour, or offspring of such; and 32,000 Hottentots.* It is yet time, but the night draweth on apace: let Catholic Europe work in season, before the hour shall knell in its ear, wherein no man shall work.

But, beyond the frontiers of our civilization, a wider mission, untried by apostolic missionary, opens itself. No Catholic priest has crossed the Orange river, and perhaps none as yet have seen it. But, on the other bank, there are those nations, looking for the Orient on high, whom the fleeting meteors of heresy have dazzled for a moment, and then re-consigned to former darkness. The pious bishop *in partibus*, and the little colonial church he governs, while they sigh over the scantiness of the labourers, and the greatness of the harvest within the colonial borders, dare not hope that the time will come, when theirs will be the mission to these independent nations. For it demands the distinct and sustained endeavour of men especially confined to this abundant province of duty; and it is to evangelizing Europe that they look, for a share in her regard, who has added Oceanica to the Church on earth militant, and has recruited the heavenly hosts of martyrs with myriads from China, whose robes of snowy hue retain not the crimson dye of earthly torments, because they are also washed in the life-blood of the Lamb of God. A glorious mission is indeed open here! The salubrity of the climate, the greater reverence for Europe which these southern Africans are forced to entertain, by rumours of our colonial power and prosperity, spread among them by the traders who have dealt with us, the little intercourse with our wretched border settlers,—“pioneers of civilization,”—as some have pleasantly called them, and, above all, the non-existence of that disenchanting and disgraceful alliance between white and coloured men, the slave-trade, renders this untrodden path the fittest that the Catholic missionary can take, first to the Tropic, and hereafter to central Africa. For the depopulating maladies of the western, and the Arab piracies on the eastern coast, and the demoralizing presence of the white kidnapper upon both, warn us that it is only

* “Boyce’s Notes on South African Affairs,” p. 119. The “Cape Calendar” for 1840 gives the relative numbers at 68,542 whites, without specifying the Malays, and 78,799 coloured people; but adopts no distinctions among the latter class.

from the northern and southern points of this hoary continent, that the gospel can pursue its way to the Equator, subduing empires like Monomotapa and Timbuctù upon its path, and pausing not till the messengers from the south shall meet those who bear the like commission from the north, and the Arab of Algeria and the Caffre of the Cape become the extreme links of a precious chain enclasping Africa in its golden embrace. And that it may not be lightly thought, either that the difficulties are too great, or that the ground is too well beset by the rich or powerful emissaries of heresy,—that, on the one hand, the plan is intrinsically impracticable, or, on the other hand, so practicable as to have succeeded in unsanctioned hands, which, on the coming of an apostolical missionary, would be lifted up for battle, we will here briefly delineate, with the help of the Dissenting missionaries themselves, or their friends, and none other, what are the prospects of the Christian Church to the northward of our frontier, and southward of Capricorn; and we shall see how very small have been the results of what missions these men have as yet found good to establish in the whole South African territory.

The principal Protestant missions among the aborigines of south Africa are those of the Independents, or London Missionary Society, those of the Wesleyans, and those of the Moravians. These last are considerably older than either of the other two; but they have fewer missionaries, and their objects are apparently more limited as to place, since their establishments are few in number, and also as to the amelioration of those they teach, since they avowedly look to the physical civilization of the catechumen, before they hope to better his spiritual state. It will be seen, however, that the difference between Moravian and other missionaries amounts to this, that the former avow this honestly and fairly, and act accordingly, while the others have been compelled, by repeated failures in a work, which, if they believe St. Paul, *they* cannot discharge who were not sent unto it, to resort to a similar policy, although they scruple not to report to the “Unions” and “Auxiliary Branches,” which ordained them to the ministry, that “their labours prosper in the field,”—(not that field which they and their catechumens substantially delved in spring, and materially reaped in autumn, but spiritually, “the field”)—“of the Lord’s Gospel.” Caffraria would seem to have originally fallen exclusively to the lot of the Wesleyans. Among the Amakosæ they now claim five

missions, among the Amatembù three, and among the Amapondo two. Some of these however are vacant; and there seems as yet no better foundation for their further pretensions to the Zoulah mission at Port Natal, than their advertisement that two missionaries "are earnestly requested." Among the Bechuanas, to the northward, they are encountered by the Independents; and bitter are the reciprocal complaints touching vested rights in Griqua and Bechuana. Advowsons,* and recriminatory charges of "forgetfulness of truth and love, jealousy of the good name of fellow-missionaries, . . . " and of "endeavours, by the most unworthy arts, to destroy them;"† or, more courteously and charitably, "painful doubts" which "impress the mind" of the missionary of the one body, "as to the sincerity of the motives" of his reverend brethren of the rival one.‡ So the Congregational Magazine (volume for 1837, p. 232), accuses the Wesleyan missionaries of countenancing, against the Caffres, "consummate villainy, robbery, and murder," having in the volume immediately foregoing (p. 733), mournfully declared that it sees, in that affair, "a melancholy illustration of Wesleyan methodist policy, which too often regards circumstances rather than principles," and that it is now incumbent on them to show "that they have higher objects than to win the smiles of colonial governors, or the eulogies of Tory statesmen." To all which Mr. Shaw retorts charges of "scurrility," and "interpolation of documents,"—in other words, forgery; and the occasional practice of "doing evil that good may come;" although, he admits that, upon such grounds, it would not be, after all, "reasonable to represent the editor of the Congregational Magazine, and the ministers of his denomination, as jesuits!" (Introduction, x.); and, at the same time, he tells his adversary how "painfully sensible he is," and how "ashamed to think that this controversy will afford" (us, we suppose, and others) "enemies of the missions, a fiend-like triumph." (p. 42.) Despite these difficulties, however, among the Bechuanas, Korannas, Mantatees, and Marolonges, the Wesleyans have three missionaries; and two among the Grikwas. Within the colony they have five more missions. Their first establishment at the Cape seems to date from 1820. The Independents date from 1795; their missions, for the most part, are within the settled districts,

* "Shaw's Defence of the Wesleyan Missionaries," 48 and 73.

† Id. p. 59.

‡ "Dr. Philip's Letter *apud* Shaw's Defence," p. 5.

and these amount to sixteen in all, including the two missions at Philipston and the Fish River, which together form the experimental settlement of the Kat River, entirely occupied by a Hottentot colony. In Caffraria, they have curtailed the skirts of Wesley's habiliments, by establishing four missions of their own; while, beyond the Orange River, in the Griqua and Bechuana countries, they have three settlements. The Moravian missions, established in 1736, at Gnadenthal and Groenekloof, remained stationary there until 1818, since which year they have added, to their two first settlements, other five, all lying within the settled districts, and governed by their bishop, Dr. Halbeck. Inoffensive in the extreme, they have even rendered valuable services to their Hottentots, and to the colony, by the civilization of exterior kind which their admirable lessons have promoted among them. It was at least as creditable to the Moravians as it was discreditable to the Government, to be reminded by Dr. Halbeck a few years ago, that "the only bridge in the colony was one built by a Hottentot engineer, with the free labour and at the expense of the Hottentots of the institution of Gnadenthal."* The French Protestants supply six missions among the Bechuanas, and one within the colony. The Rhenish Society maintains within the colony five missions; its Berlin sister retains but one colonial mission, two missions in Caffraria, and one beyond the Orange River, amongst the Korannas and Bushmen. And now let us examine the fruits of these missionary organizations, any one of which would have been enough to have proselytised these savages long ago, had Rome directed its efforts.

We have mentioned the Grikwas as having, for more than forty years, been the objects of an active mission employed by the Independent or Congregational Dissenters. Their partial European origin gave them an elevation of character and an instinctive preparedness for European ideas, which their kinsmen of the maternal side presented not; and, as if no human means, however extraordinary, should be wanting, to signalize the failure of those at whose disposal they were placed, the spiritual supremacy over Griqua Town, enjoyed by the London Missionary Society (a foreign body, by the way), was and is accompanied by as complete a headship in temporals, as ever Roman pontiff enjoyed in days which these

* See Major Parlbys Letter of the 22d January 1840, "S. African Commercial Advertiser," Vol. xvii.

aspiring Theocrats profess to abominate. An intelligent resident at the Cape of Good Hope, Mr. Thompson, whose valuable travels in Southern Africa, published in 1827, form, with those of his predecessors, Barrow, Lichtenstein, and Burchell, the only works of the kind which retain their character of standard works, (Darwin and Alexander,* and all the compilers of "Narratives," or "Visits," or "Wanderings," that have since made their unprovoked appearance amongst us, notwithstanding), was forced to admit their failure, at that period, to effect the ends they sought; and the hopes, which that friend of their missions then expressed for better things in after years, are but the counterparts of the vague and hollow phraseology which continues to excuse the same disappointments in the year of grace 1840. At that time, a Mr. Melvill, and the other Independent missionaries, in the exercise of their hierarchical pretensions, had deposed Adam, Cornelius, and Abraham Kok, the three brothers, who ruled their countryman by right hereditary, and had made one Andries Waterboer, a plebeian of the despised Bushman race, chief in their stead. The three chieftains retired, in disgust, with a considerable body of followers, from Griqua Town to Campbellsdorp, refusing to acknowledge the new nomination; and were thereupon denounced as rebels by the pious, who even went so far as to apply to the landdrost across the British frontier, Captain Stockenstrom, to send a commando of Boers against them; which that admirable officer very properly declined doing. The dispute was referred to Cape Town for the opinion of our colonial government, and it would seem from Dr. Philip's letter to the Rev. P. Wright, of the 1st December 1832, published by Mr. Shaw in his *Defence of the Wesleyan Missionaries* (p. 73), that the government gave its complete sanction to the view which the rev. doctor, as superintendent of the Independent Missions, had taken of the matter. That view is thus stated by himself. After premising that his missionaries found the Grikwas living in the state of Nomads, between the old colonial frontier and the Orange River, its present boundary, and that after going about with them for five years and a half, they at length prevailed upon

* If we were sure that this gallant writer would not challenge us, as he has done another of his reviewers, we would quote the vulgar colonial rumour, which accuses him of writing his valuable travels, all at once, under a bush 50 miles from Cape Town; yet, for all that, they *may* be authentic enough.

them to settle down as tillers of the soil, he proceeds to reason from those premises, that "they did not find a country for the missionaries, but the missionaries found a country for them!! This new country they did not take possession of in their own names, nor in the names of any men among them, *but in the name of the London Missionary Society*, and the colonial government sanctioned the deed"!! Without stating how he reconciles so flagrant an endowment with the voluntaryism of his sectarian principles, and the horror which Independents entertain for Church establishments, as being the very Antichrist, Dr. Philip proceeds to argue that the investiture of the land carried with it the nomination of the rulers thereof, and that, in fact, "this authority has *never been more than a delegated authority, to be exercised for the benefit of the mission*, and the people at our missionary stations;" and that it belonged to himself, as superintendent for the time being, not only to unmake the chief, Adam Kok, at Griqua Town, but also to make him chief of the Bushmen at Philippolis, as his reverence has modestly designated one of his missions; yea, and to permit or prohibit, at pleasure, Adam's eldest son from succeeding him in the new chieftaincy! One of his own missionaries, a Mr. Clark, questioned, he says, his right in these matters. "After I had returned to England in 1826, he wrote a letter to General Bourke, then Lieut.-Governor of the colony, *questioning my right to invite the chief Kok into that country*. . . The Lieut.-Governor wrote an answer to Mr. Clark, in which he justifies my conduct, and thereby acknowledges the power exercised in that instance, in inviting the chief Kok into that country." (p. 79.) Upon this account, large bodies of the Griquas, whether from dislike to Waterboer in particular, or from resentment at the spiritual thralldom, which had imported with it the loss of native independence, seceded to the mountains east of the Zekoe River, and to other quarters of the immense wilderness which stretches from the sources of the Orange River to its mouth, leaving in Griqua Town only such as were partizans of Waterboer, or enamoured of "the salutation of peace, and—tobacco," to beg for which, says Mr. Thompson (vol. i. p. 154), even hostile Bushmen, whose fathers had been slaughtered by Mr. Melville's allies or vassals, even, at that time, "frequently visited Griqua Town." Open war was instantly declared between the factions, which these pretended missionaries had thus excited among the Griquas. The fastnesses of the disaffected upon the Orange

River "became," says Mr. Thompson,* "a place of resort for numerous bands of banditti. The disaffected have again betaken themselves to the lawless and bandit life, from which *the missionaries*, after years of danger and difficulty, *had happily reformed them* (?). They have plundered the helpless Bechuana clans to the eastward in the most unprovoked and cruel manner. They have destroyed or dispersed whole tribes, by robbing them of their cattle, and *even their children*, emulating the ferocity, and augmenting the miseries inflicted by the savage Mantatees." Whether, in this respect, the partizans of Waterboer were any better, despite the presence of the missionaries, may be gathered from the frequency, and the animosity of the exterminating commandoes against the wretched Bushmen, so justly denounced by Mr. Thompson (vol. i. p. 152), and from the savage brutality of the Griqua raid, which, with questionable propriety, the missionary Moffat of Kuruman, and Melville of Griqua Town, first excited in their councils, and in the Peetshoo of Bechuana (p. 186), and then personally headed against the Mantatees; when, by a procedure more questionable still, the same missionaries could only prevail upon their proselytes, to assist the wounded, and to preserve from starvation the women and children of the vanquished, whom, with "a deplorable want of the better feelings of humanity," they had abandoned for the sake of "the cattle which had been captured," by distributing them among the Grikwas to become their slaves!! (p. 312-13.) Since the death of Adam Kok in 1835, his eldest son Abraham, whom Philip the Kingmaker had permitted to become his successor in Philippolis, and who in fact did succeed him in that chiefdom, has been deposed by his clerical masters, for his "heathenish character," as the *Colonial Times*, a Graham's Town newspaper, in a late number, expresses it; and his younger brother Adam, under Waterboer's sanction, has been set up in his stead. Hence have the flames of war been rekindled among the Grikwas afresh; commandoes continue to be the order of the day; and, with the missionary sanction, alliances are formed with their heathen neighbours, whose hordes are enlisted upon both sides of the quarrel. When we read of such a policy as this, we wonder not that, in 1839, Wesleyans foretel that its results must be no other than recurring scenes of war and bloodshed (*Shaw's Defence*, p. 59); neither do we wonder

* "Thompson's Travels," vol. ii. p. 74.

that the Report read at the Cape Town Anniversary Meeting of the London Missionary Society, on the 6th January 1840, prudently confining itself to the amount of tribute paid by the people of Philippolis to their foreign masters, and to the general statement, "that the word of God is not preached in vain," should announce that no other report had been received from this station; neither do we wonder that, according to the same report, they can boast in Griqua Town and all its out-stations, but 630 individuals,—not converted or baptised, but "connected with the churches;" of whom but the minority consists of Griquas, the rest being made up of aliens or fugitives from the Bechuanas and the Bushmen; and this, after forty-one years of preachment and dominion there! Intemperance and excess continue to denote the Griquas, heathen or Christian. But there is one peculiarity which reveals to the London Missionary Society the effectuality and strength of conversions wrought; and it is the amount of tribute-money levied from savage friends, under the name of Auxiliary Branch Collections, and gathered into their metropolitan treasuries by the accountable missionaries. Many omissions in this report, as well as in other such, of matters usually considered of interest among Christians looking for the fulness of the Gentiles, are compensated by the never-failing announcement, ushered in by something about a "turning from darkness to light," that in such and such a locality certain pounds, shillings, and pence, have been collected for the past year. Thus, in Kuruman, the capital of the Bechuanas, and obviously a place of some interest, positively the *only* proof adduced, "that the work of God continues to prosper at this station," is that "35*l.* have been received from the Auxiliary of this station for 1838 and 1839." And so, though "no Report has been received from Philippolis this year," we are acquainted that, "in the years 1838 and 1839, the sum of 42*l.* 10*s.* 9*d.* has been collected." And this reminds us that the reverend author of the *Polynesian Researches* takes to himself great praise for having, in the first year after his supposed conversion of Pomarè I, gathered from the Tahitian Commons so large a tribute of palm-oil, that out of the proceeds, the London Missionary Society was enabled, not only to provide thereout for the Tahitian mission, but also to pay into the London Treasury of the Society some forty pounds over and above. We have seen that these persons are not unfavourable to a theocracy of their own, albeit enemies of papal-deposing power;—we

should now like to ask them for their opinion of Peterpence! The ambiguity of language, in which their reporters are adepts, at first sight deceives inexperienced readers. The words "added to the Church," for instance, which, among ordinary writers, import conversion of heathens or of schismatics, imply something different among these Independents, who use them very abundantly, and generally without any thing to explain or qualify their force. However, we sometimes stumble upon a passage which elucidates the phrase, and defines it to mean nothing more than that "inward renewing unto the righteousness of faith," which all of Calvin's elect children must evidence to the previously elected ones, before these will receive them into what they call "Church fellowship." Thus, although we hear that at Zuurbrak, "about forty-five have given evidence of a saving change, and have been united to the Church," we are somewhat damped in our expectations thereupon by discovering, further on, "that among these are *three sons of the missionary, one son of another missionary, who was learning his business (!)* at the station, and a number of promising young men, *educated in the school there.*" Now we submit that these "sons of the prophets" can hardly have been heathens, even although either missionary, like missionary Sass of Campbellsdorp, should have married, *permissu superiorum*, a Hottentot woman;* for even then the charming half-casts, baptised by their reverend fathers, would have been early taught to look forward to a future association to the missionary band, according to a comfortable plan propounded in the third volume of the *Polynesian Researches*, for making the mission a priesthood for ever,—a sacerdotal caste hereditary in children of missionaries! But excepting the cultivation of the mission's lands, markets of produce, Auxiliary Branch receipts, and Temperance Societies, amid this lengthy compilation of trite phrases out of tracts, there is nothing definite, nothing tangible, nothing that can commit the guarded writer, and consequently nothing that should content the friends of these pretended missions at home. We are told that in one place (Hankey), there are earnest desires after truth; in another (Bethelsdorp), that "*some few seem* enquiring the way to the heavenly Zion;" that among the Kat River Hottentots, "encreasing seriousness has appeared among many," although "the missionaries have been lamenting that the work of the

* "Thompson's Travels," Vol. i. p. 144.

Lord did not appear to prosper among them as on former years;" and that, in Zuurbrak, "the serious impressions on the minds of some," sick, it seems, of the measles, "wore off as they recovered; others were enabled to rejoice in the Lord, but the greatest number confessed that a sick-bed is not so suitable a place for conversion as they had been used to think it was!" But, for details like those wherewith our own missionary reports, the letters of the missionaries in the annals of the Propagation of the Faith, so proudly and so fearlessly abound, or even for such details as would answer the humbler end we seek, of informing ourselves upon the arithmetical statistics of the Independent missions in South Africa, we look in vain. And while we grant that, to use the language of the Report, "it is impossible" (for the reporter) "to estimate the number of those who have been hopefully converted through the labours of the different Societies, or even through the instrumentality of the London Missionary society," we submit that it is equally impossible for ourselves to criticise numerical calculations which the Report ventures not to make! But be it Wesley or Zinzen-dorf, Knox or Cameron, Brown or Whitfield, whose spirits preside at the missionary stations among Caffres, Griquas, Hottentots, Bushmen, or by whatever other name their sable subjects style themselves, the standard of the sincerity of the taught, the test of the successors of the teachers, is uniformly the condition of the community with regard to the one great desiderate in African husbandry, *irrigation*! Whether it be that the fields it fertiliseth are the very glebes of these holy men, or that its waters, wriggling in their new-cut channels, or flooded over the fruit-producing clods, are deemed by them mere emblems or tokens of spiritual irrigations and seasons of fruitfulness among the sable breakers of those clods, we cannot say; the fact remains the same, that every new settlement, every new hope, every new triumph of their Evangel, are grounded upon the capabilities of irrigation, or widened by its success. Thus the first thing attempted in Griqua Land by its missionaries was the irrigation of their own corn-fields, with the help of the docile Griquas, as Mr. Thompson admiringly commemorates (vol. i. p. 148), an operation which these gentlemen found so cheap in execution, and so profitable in results, that, twenty-eight years afterwards, they employed the same obedient hands upon a more comprehensive scale, with the waters of the Orange River! (vol. ii. p. 28, note). So, in Kuruman at an

early period, "the well-cultivated gardens stocked with fruit-trees and vegetables," and irrigated by water, which, as Mr. Thompson tells us, "had been led *with much labour, from a considerable distance*" (vol. i. p. 174), by the wretched Bechuanas, who thought them "gods" (p. 171), and held them "in no small respect," because of "black bushy beards, about eight inches long," which policy taught them to wear among the beardless savages! (p. 157). And we are further told, that in proselytising the heathen Bechuanas, "the practice of irrigation is a great step gained, and *can scarcely fail to lead to others, much more important*" (p. 194). And while Mr. Brownlee, of King William's Town in Caffraria, in the year of grace 1840, contents himself with stating, as a special portion of his *Annual Report*, that "considerable progress has been made in leading out the water there," with the help of Caffre labourers, his nearest neighbour, Mr. Kayser of Knapp's Hope, on the Keiskamma, after telling the society that "none have as yet been baptised," comfortingly and cheerily adds, that he trusts "that the little leaven, which appears to have been hid in the mass, may in time leaven the whole lump,"—and also, "that he has now finished his water-course; it has been a tedious and difficult work; *but he can now irrigate much land*," at any rate, whatever he can do with souls that thereon dwell!! What wonder, then, that the Kat River Hottentots, ambitious of missionising under their own flag, are stated, by the same Report, to have "sent forth with the prayers of the Church," certain black theologians to convert the hunted and diminutive Bushmen, and that, on the arrival of these apostles at the Bushmen's country, or, to use the language of the Report (boding no good, we fear, to Bushman independence!) "at the country *now said to belong to the Bushmen*," their *first* work was, to look out for a suitable spot where the land could be irrigated, and, having ploughed and sowed the land, they led out the water," and made themselves tolerably happy upon their Bushman farm; although, during the time they were thus engaged, they saw no Bushmen, except two or three old women, *all the others having retreated to the mountains*;"—otherwise, doubtless, leave would have been asked and obtained, before so decisive a step was taken by the holy strangers. And we find from the speech made by a Mr. Innes, at the meeting where this report was read, that, whatever the spiritual backslidings of the Kat River people may have been, their teachers have no fault to find with their conduct

as husbandmen for ten years past; as, in that period, some "eighty miles of waterleadings, and canals for irrigation," completed by their toil, have made profitable the lands of the mission at that place! Let us, in conclusion, add, that the last recorded statement of the condition of their mission, among the Namaquas north of the Orange River, is the detailed narrative given, in 1827, by Mr. Thompson, of its entire failure; when, after a trial of ten years, they continued to hold almost all the superstitions, and the mode of life, of the old Hottentots, and extorted from that writer the reluctant admission that it seemed "extremely doubtful whether those habits can ever, to any considerable extent, be overcome!" (*Thompson's Travels*, vol. ii. p. 65). And, in like manner, the colonial Hottentots, after being for forty years assiduously cared for by the London Society, "are now sinking deeper and deeper in the scale of being. And the colonial government pays annually, in prisons, and in police expenses "for them," more money than would be necessary "to locate each Hottentot comfortably in the interior"!!*

We have mentioned the Kat River settlement. By an unjustifiable procedure of the colonial government, that heritage of the Caffres was wrested from their chief, Maqcomo, in 1829, and given to the Hottentots. It is difficult to gather from Mr. Boyce's notes, whether his indignation at the transaction was the more stimulated by the wrong done to the Caffres, or the destruction of the Wesleyan station of Balfour, which Maqcomo's expulsion "naturally involved," and the substitution of congregationalism in lieu thereof (pp. 8 *et seq.*). The readiness of savages to abandon their unauthorised teachers for new ones, cannot be better signalized than by the subsequent behaviour of Maqcomo and his brother chiefs, Tyali, Eno, and Botman, of whom it is Mr. Boyce's complaint, that in the following year (1830) they listened to the delusions of Dr. Philip and Mr. Read, and, forsaking the Wesleyans, cleaved unto those Independents. And yet, be it observed, it was to that very Dr. Philip's influence that Maqcomo justly attributed his expulsion from the Kat River; to revenge which injury, he and his brother chiefs afterwards, in 1834, began their memorable and destructive foray into the Cape colony. It amuses us, after such clear proofs as these, of the hollowness of Caffre attachment to the missionaries of either persuasion, to hear Mr. Boyce accounting for that

* See "Boyce's Notes," p. 127.

unhappy war, by the withdrawal of Caffre confidence from the Wesleyans, and the consequent diffusion into the channels of congregationalism of "the influence which, if retained by the Wesleyan missionaries unimpaired, *might* have prevented that war!" (p. 14.) "*The only case*," he elsewhere says (p. 11), "*where it has been fully preserved*" . . . "is the case of the Gonokwabie tribe, and a portion of S'Lambie's, where the influence of the Wesleyan missionaries was sufficient, in 1835, to prevent their joining in the war;" and much credit he gives to Wesleyanism for a result so glorious and deserving of italic types, in his own or his printer's eyes! But when no longer upon his missionary mettle, he, in a later division of his work, is arguing a dull diplomatic question of international policy, he gives up his Gonokwabies altogether. It is not to Wesleyan doctrines, but to the "singular talents" of the Rev. W. Shaw, their first missionary in 1823, and not to these alone, but to "circumstances of a peculiarly favourable nature," that these "thievish clans" of Caffres were—(converted? no! but)—"secured in a peaceful behaviour"! . . . "Few men acquire that degree of influence, which is the result in his case of peculiar talents, aided by a combination of favourable circumstances and opportunities; *the possession of the one, and the occurrence of the other, are not to be calculated upon.* At present (1838), the three chiefs of this tribe, *aided by the three Wesleyan missionaries*, have enough to do to *repress the desire for plunder*, which *naturally* arises in the minds of a *pastoral people*," &c. . . . "The continuance of the present weak and timorous frontier policy (a terror only to its own subjects), will, *in a few years*, probably induce the Gonokwabie clans to *return to their old predatory habits*"!!! (p. 53 note.) To understand, however, what this man means by "missionary influence," which raw students may imagine erroneously to denote the apostle's influence over his neophytes, we must remember the politico-religious tenets of his sect. These Mr. Boyce explains in a note to p. 4, where he has levelled against colonial governors, Sir B. D'Urban excepted, accusations of "systematic forgetfulness of the principles of justice," and "of disregarding territorial rights in their transactions with the South African nations." But that note tells us, that "no reflection is here meant" *upon any of these governors!* "My theological creed teaches me to judge men according to their several dispensations of light and knowledge. That of a colonial governor is *precedent*; and his path of duty . . . is supposed to be a *strict adherence*

to the general principles adopted by his predecessors! We have no right to expect *colonial governors*, any more than other men, *to rise above their dispensation*; (!) and it is very questionable whether an original genius would be cordially *supported by the home government*!! Hence, when the Wesleyans, unable “to rise above *their dispensation*” (purely one of rural police), sought to strengthen the hands of government and their own, by founding a permanent influence among the Caffres to be wielded by missionaries alone, “without whose hearty co-operation,” we are told (p. 131), “nothing can be effected,” in the way of a police, religion was made but a secondary matter. For the influence was gained, and for years kept by these preachers until 1830, when they lost much of it to their Independent competitors; this Mr. Boyce will not deny. Equally clear is it that the kings of the Gaika race, Maqcomo, Eno, Tyali, and Botman, formerly under this Wesleyan, but, then and afterwards, under Independent “influence,” were with their tribes foremost in the bloody war of 1834 and 1835, wherein (besides the sacrifice of life) “the burning and plundering of houses, the carrying off cattle, sheep, &c. occasioned losses to the colony estimated at 288,625*l.*” (*Shaw's Defence, Introduction*, xi. note). Equally clear is it, from an extract already cited by us from Mr. Boyce's work, that only a small portion of the Caffre nation, the thievish Gonokwabic clan, preserved a questionable kind of forbearance or neutrality in that war; and that, besides them, all the Caffres embarked in it, with such determinate hostility, that they refused to hearken to the words of peace which their quondam teachers were commissioned by government to address to their chiefs, until they had left 4,000 of their warriors upon the field of battle, and the capture or starvation of their flocks and herds had brought the survivors to the very verge of famine. Equally clear therefore must the inference be which we make as to Wesleyan success in making Christians of those they “influence,” from Mr. Boyce's further statement, that out of that immense horde and the often named chiefs who led the way to slaughter, *not one man was a Christian*!! (*Boyce's Notes*, p. 21.) Thus was it shown that “missionary influence,” in the meek mouths of Wesleyans, means Civil Dominion, or Rural Police, and nothing more; and thus, the first fruit they reaped from the conclusion of the destructive war against their former subjects, was the resumption of some share of their former power, henceforth to be established under the direct sanction and enforce-

ment of the colonial government. Nor was this all: among the commissioners appointed by the conqueror, to number the vanquished, to dictate the terms of peace, and to enforce their fulfilment, "all the missionaries with whom the chiefs had been previously connected," had a place; the decorous preliminary of a special request from those unhappy men having been first procured for that purpose. (*Boyce's Notes*, p. 33.) And still we find Mr. Boyce and his unambitious brethren intriguing in "the camp, the court, the grove," or agitating the public through their newspapers or assemblies, for more power over vagrant Hottentots or thievish Caffres, than the government has thought it good to give unto them. (*Boyce's Notes*, p. 135.) But why, for the sake of seriousness, of decency, and of truth, will these people persist in boasting about their "spiritual weapons mighty through God," and their being "very rarely called upon to become partizans," as Mr. Shaw (*Introd.* xviii.) would have us believe? Much less offensive to our sincerity, and our love of it in others, is it to hear from Mr. Boyce the desponding and unavailing confession of the inadequacy of his evangelism, without "the interference of the missionary in *secular* arrangements," and the marriage-bond "between the Christian ministry and 'the powers that be,' " of the lay order,—a bond, in his belief, so indissoluble, "in their connexion with the direct preaching of the Gospel," that he hesitates not to add, "what God hath joined together, let no man put asunder." (p. 136.) He proceeds to say in the same place, that almost all the little good effected by the Wesleyans is neutralized by "the civil and social condition of the bulk of the population." For the late restoration of Caffre independence, which, we are elsewhere told, was brought about by "the mistaken zeal of the benevolent people and government of Great Britain, has carefully built up and fostered *every obstacle* to Christianity and civilization," and that they do in fact "remain in full force" in Caffraria at the present moment. Thus do we find that so impotent are the Protestant missions without the help of a penal British law to back them, that the instant it is withdrawn, and the heathen are restored to their national independence, that restoration "has again legalized murder, on account of the absurd charge of witchcraft, it has . . . sent the maiden of Cafferland to the customary annual pollution of the chief's kraal; it has . . . stimulated the predatory habits of the Caffre people, *which are decidedly on the increase* (the

Gonokwabie tribe excepted*); in a word, it has laid the foundation of a series of evils, which . . . will lead not only to the desolation of the colonial frontier, but will endanger the very existence of the Caffre tribes"!! (p. 64.) Accordingly (p. 131) he calls upon the government to interfere in the missions, by making "a trifling extension of the boundary of the colony" (a measure which excites abhorrence in his mind when practised for the gain of other than missions or Wesleyans), and in another place (p. 176), he proposes to back the gospel by creating "a taste for European comforts;" and an esteem for "agricultural implements, rough tools, and cookery utensils," by distributing "warm blankets" in winter, and "shirts in the heat of summer," and by opening "a market for mats." And "then," he says, "we *may hope* that Christianity, with the attendant advantages of civilization in her train, may *commence* in South Africa, a march of triumph going forth, conquering and to conquer"!!! But in the Appendix (p. vii.) he quotes approvingly a still more exalted morality, in the shape of the Rev. Mr. Laing's letter to Governor D'Urban, of the 4th February 1835, recommending a method of conversion more effectual, and more likely to be permanent than all the rest. That letter speaks of the "blindness and wickedness of the Caffres," then at war with us, and states that from his conviction of their guilt, he thinks it requisite that "the country of the invading Caffres must be taken from them, to indemnify the colony for the losses it has sustained;" and, in that anticipation, he asks for grants of forfeited lands to "the peaceable Caffres," friends of missions and missionaries, *quamdiu se bene gesserint!* But what the gain to Christianity from the thralldom of these Caffres would be, we may judge by the moral conduct of the men most faithful to the Wesleyans and the Independents. Thus Maqcomo, bepraised in the public assemblage of Caffre chiefs and British officers at Graham's Town, at the end of the war, by Colonel Smith, whose address upon the occasion is so much extolled by his Wesleyan friend, Mr. Boyce, is thus described in the already cited report for 1840 of the other Missionary Society, whose follower he has become: "Maqcomo *and his wives* generally attend [the chapel at Blinkwater], but as yet the gospel has not made that impression

* Our readers will have themselves detected this woful contradiction of what he has said elsewhere!

upon his mind as to lead him to renounce *his heathenish practices*, or even *the vices of civilization* which he has contracted by his intercourse with professed Christians; but we know there is nothing too hard for the Lord," and so forth! So the same Colonel Smith tells his brother chief Tyali on the same occasion (*Boyce's Notes*, p. 44), "The *good example* you set the other Sunday, in attending divine service at the Chumie *with your wives* and family, *I highly applaud*, and I trust your innate feelings were inspired by those *religious principles*, which, while they teach us to be *good, honest, and upright*, ensure our happiness"! Not a word against his polygamy! At the same meeting, says an eye-witness, quoted by Mr. Boyce, was "the chief Kama, . . . a very respectable-looking man, *adhering to one wife only!*" . . . "Jan Tzatzoe sat next. He is said to be *more advanced than any of the others*. He *has* in fact, *stepped up* (!) *to the agricultural state*; he too *has but one wife*!"* So that out of all these neophytes, there were only two whom, with any truth, a friendly writer could venture to name as presenting monogamy among what he calls their "pleasing marks of civilization"! "Woe unto ye, scribes and pharisees, hypocrites, who compass land and sea to make one proselyte," after such a fashion as this!

Of the men employed in these missions we know nothing. It is to their actions that we have looked, as recorded by their own proper pens; and having done so, we pronounce them self-convicted of an entire failure in their enterprise, and of the habitual employment of the most unjustifiable means to produce a better result, or to screen their blunders from the censorious eye of the public. We need not that we should undertake the painful and expensive journeys to which we are invited by Mr. Thompson,† to be convinced of the truth respecting these self-dubbed missionaries. Their reports of their proceedings at "Gnadenenthal, Bethelsdorp, Theopolis, the Caffre stations, Griqua Town, Kamiesberg," &c. &c., should, we think, be at all times so minute as to present an intelligible statement to their readers, of their doings and their progresses in those parts, and so conscientious and candid as not to lead them into error. And, albeit, we cannot applaud the works now open before us, under either report, we have gathered at least enough to spare ourselves and our readers the personal scrutiny which we are somewhat officiously taunted to undertake. Hereafter, when we hear any indivi-

* Greig's Narrative *apud* Boyce's Notes, p. 35.

† Vol. ii. p. 93.

dual of either faction boasting like brother Read, at Sheffield, of his "300,000 Caffre" converts, we shall not hesitate to tell him in the words of Mr. Boyce, that he may with equal truth claim "300,000 *Esquimaux*"! (*Notes*, p. 14, note.) Neither care we what solution may be given to the question which Mr. Thompson tells us (vol. ii. p. 91) has been raised, as to the personal fitness of the actual missionaries in Southern Africa, by accusers who state, "that most of them are vulgar and uninformed, many of them injudicious, some of them immoral;" and from which he attempts to relieve their aspersed body by an argument which admits almost the whole of the charges as put forth. "They are generally," he tells us, "persons of limited education, *most of them having originally been common mechanics*; but . . . where could men of refined minds be procured? . . . A few instances of indiscreet, or indolent, or immoral persons having been found" among his friends, is of no great moment, he argues; and "imperfections will be found wherever human agents are employed." For our views are higher far; and we assert that the causes of ruin are not there where these have placed them; intrinsically and inherently they dwell in the very heart's core of unblest heresy; for our heavenly Father hath not planted it, and therefore its root shall not abide in its own soil; how much the less shall it push forth bastard slips deeply into a virgin earth! "How shall they preach, unless they were sent?" No man doubts that there is in South Africa a rich harvest, white and ready for the sickle, but the sickle is not for their hands. We give full credit to all that they report to us of the "enquiries after truth," the "longings after Sion;" and it is precisely because we do believe it, that we seek to interest our religious bodies, full of the spirit of their institutes, in this South African mission; that so Sion may be brought nearer to the souls who long after her, and their aspirations after the truth may be satiated from Mamertine springs gushing miraculously from the Church-crowned *rock*!

Such is the actual state of Protestant missions in those countries of South Africa, where they have been enabled to subsist at all. But there are two powerful nations to the northward and westward of these, which are entirely rid of these lying prophets, and which are represented as being, nevertheless, most anxious for European, and especially British, alliances, and the lessons in civilization which they will carry in their train. These are the Zoulahs, whose territories are situated on the east coast, between 27° and 30° 30' S.

latitude, so long governed by the famous Dingaan of Port Natal celebrity; and the Abaka-Zoulahs or Matabilis, their kinsmen, although independent and hostile, inhabiting the inland tract, which, bordered on the east by Dingaan's country, and on the west by the Bechuanas, Wangkets, and Baquainas, stretches northward from 27° S. latitude to the further side of Capricorn. These last, rivals of the Zoulahs of the coast, and ruled by Moselekatse, the greatest conqueror, since Chaka's death, known among the nations of South Africa, seem destined to consolidate into a great empire the disjointed masses of men wherewith they are surrounded. That the late successes of the emigrant boers against Dingaan and his successor, which, as yet, are far from compensating them for the tremendous defeats which at first marked each step of their nomadic trespasses upon the territories of that prince and his rival Moselekatse, will break the power of his nation, we do not believe. Wasted by the sword of the Zoulah king, or the famine and the pestilence which destroyed many whom that sword had spared, out of the six thousand Dutch African colonists who waited for the conclusion of the Caffre war to throw off their allegiance, and found a grazier's commonwealth in the Zoulah territory, and of those who since then flocked to join them in the desert, not one half have lived to see the end of 1839. As far as they have gone, their heavy hoofmarks have been filled with blood; and so long as their own veins shall continue unexhausted, thousands of the hearts of Afric will drain away the streams of life upon the face of their own sunny inheritance. But they will fall: as their beginnings were, so is their present, and so will be the closing passage of their violent history. The princes,

“ Whose native kingdom they have dyed in blood,”

will never forget the past, nor lose the inevitable occasions of sudden and sweeping vengeance. The allies, upon whose own fair speech and pretended feud with the native princes they weakly rely for their salvation from the ruin which their own diminished and divided bands cannot avert much longer, will betray, at length, these hated enemies to ruin and massacre. And Moselekatse, made stronger by the humiliations of the haughty Zoulah warriors, unused to fly before an enemy, and flushed with the remembrance of his former triumphs over these errant adventurers from the Cape, by the waters of the Likwa and the Nama Hari, bides his time till the fierce onslaught of his devoted warriors upon their unguarded ranks shall “slacken

the burnin' " of his capital Mosega, and rid his land for ever of present marauders, and future competitors. This emigration, whose unrivalled absurdity alone can conceal the unprincipled design for which it was undertaken, arose chiefly from *boerish* dissatisfaction with the emancipation of the slaves, and the alleged scantiness of the compensation-money, and from the more humane policy of the colonial government in these latter years, which took out of the hands of these booby despots the power of wreaking their unbridled wills upon the Caffres and the Bushmen of the border. Their illegal exportations of their slave apprentices across the colonial boundary, into their new settlements, intended doubtless to evade the jurisdiction of British law, but which is happily impracticable, since there is a certain act of parliament extending that jurisdiction to the 25th degree of south latitude, must be inquired into by the British government: and the freedom, which by British law is their's, and which their outlaw kidnappers have affected to promise them, must be strictly and practically secured for them in enjoyment. Whatever the Wesleyans or their vagrant correspondents from Natal may say of the mutual happiness of man and master, of the *piety* of these gross livers (Boyce's *Notes*, p. 145), or the "generally exemplary conduct" of their "servants," as these slaves are prudently styled by them, it is doubly incumbent upon the government to look well to this matter, since the same authority shamelessly acquaints us (p. 157), that the reason why "these servants give them very little trouble" is, that "where they find it necessary, *they punish offenders without any fear of vexatious lawsuits* in consequence." But these strange reasons are not their only ones; nor is this great emigration the first that the Cape boers have undertaken. "In 1834," says Mr. Boyce, "1,500 colonists, including women and children, servants, &c. were during a part of the year grazing in the *Griqua country*, others in the direction of the banks of the Kei." (p. 141.) And on the 5th November 1834, that humane and enlightened friend of the aboriginal nations of his own native continent, Captain Stockenstrom, the late lieut.-governor of the eastern district, writes to the colonial secretary the letter published at pp. 117-123 of the evidence taken by the aboriginal committee of the commons' house, wherein he states, that "*for the last six years* migrations of colonists beyond the boundary have recommenced. I have more than once ordered them back, and seen the order obeyed; but during the last year of my residence in the colony, I again

found numbers of these emigrants out of the colony"! This tolerably corresponds with the period of the panic excited among these most enlightened sons of them of Gorcum and Leyden, by the news received from England of the passing of the Catholic Emancipation Act; whereupon many of these boers perpetrated an emigration across the frontier, to escape the provisions of a law, designed, as they understood it, to coerce them all to abjure their Hollando-Calvinism, and embrace the tenets of the Roman Catholic Church! This motive to emigration has, at any rate, long ceased to exist, since the later announcement of the English Reform Act being passed into a law, did, as is well known, proportionably elevate the spirits and the hopes of these adipose theologians, upon the notion that it was a law to oblige everybody to join the Dutch Reformed Church! However, these successive emigrations across the border have so drained the land of the settlers of Dutch race, that there is no longer the difficulty that existed, as is said, in 1827,* of settling, in good and valuable locations many thousands of British and Irish settlers having capital, and, what is of more consequence, having enterprise and common-sense to boot, such as have not been seen in these boers, or their fathers before them. It would be premature, at the present moment, to enter more minutely into the general question of our border-policy at the Cape. Involving the reviewal of two centuries of European relations with tribes existing and tribes extinct, we cannot satisfactorily discuss so intricate a question, until Messrs. Moodie and Harding of Capetown shall have completed their labours there, and brought to a close the interesting compilation of "Records," which, by authority of the colonial government, they are preparing from its archives. Enough has been said, we trust, to make us pause before we can believe the writers who maintain that Dingaan is but "a blood-thirsty, crafty, and covetous savage;" and that "the Lion of the North," Moselekatse, "to whom," as even Captain Harris confesses, "to whom the devotion of his Matabili warriors almost exceeds belief," is, notwithstanding, only remarkable as a tyrant, "treacherous, oppressive, cruel, and capricious." That gallant officer whose work stands third upon our list, and who has been induced by unsuccessful missionaries from the United States to vituperate this king of the Northern Zoulahs in so wholesale a manner, has yet, in sundry places, recounted some things concerning

* "Thompson's Travels," vol. ii. p. 194.

that extraordinary personage, which do not altogether square with such an opinion. As one instance of this clerical defamation of the king, we may mention the case of the English trader Gibson, who had died of the coast fever in the country, north-west of Delagoa Bay, with all his party, one hottentot excepted. Moselekatse, hearing of the event, and fearing lest a suspicion of his having been murdered should be prejudicial to the commercial intercourse between the British in Africa and his subjects, which he is labouring to effect, immediately despatched a commando, with directions to bring the survivor to his presence, from the midst of the hostile tribe with whom he dwelt, that his testimony might exonerate him of the suspicion. And yet these American missionaries had represented to Captain Harris* this murder of the man Gibson, with that of all his followers, as one plainest proof of the chief's enormities! Another "proof" also mentioned by these disappointed men, and equally germane to the matter, was the murder of one of the Captains Sutton and Moultry's followers: but Captain Harris, undismayed by their arguments, having pursued his way to the royal court at Kapain, discovered from Captain Sutton himself that this culprit had merited his death, by stealing a musket from the king's kraal; and by an attempt to corrupt the fidelity of Truey, Moselekatse's favourite concubine! (p. 151.) The only other sources whence information as to so remote a country is derived, are the hostile boers, and the traders or pedlars who hawk ivory to the colony, and small wares to Kapain. One of the latter *credible* class of witnesses is mentioned by Harris himself, (p. 221) as having, in return for some ivory, contracted to add a white wife to the royal Zenana, and as having been frustrated of his atrocious purpose at the critical moment when he had enticed an unsuspecting farmer, "with his fair *vrouw*, to the very borders of the country, within which a commando was in readiness to seize the lady." Captain Harris, though a friend of the missionaries, seems to have been too much absorbed in the noble venatorial art, to have paid them much attention, although he records the visits he paid to all the missionaries in his path, and at Mosega the capital. The only novelty he commemorates respecting our old friends mentioned in Mr. Thompson's book, is the precaution they generally take at the present time, to house their children safely at Capetown, before they will undertake a distant mis-

* "Harris's Expedition," p. 95.

sion among the savages. Their continual desertions from their faithful flocks, and their retreats to the colonial territory, whenever persecution at home, or invasion from abroad, was whispered in their ears, and which, no doubt, gave scandal to weak brethren at that time, were nearly always excused by the touching appeals which their reverences made in respect of these "young olives around their table," who were the companions of their mission. Within a little more than one hundred octavo pages of Mr. Thompson's first volume, we ourselves have numbered over no less than four deliberate preparations for a removal of the candlestick from hapless Kuruman, because Mr. Moffat the missionary and his colleagues had their families with them; and because they heard vague rumours of an invading army of unknown savages, called Mantatees; and lastly, because, says Mr. Moffat, "fighting is not my province." And in fact, the candlestick *was* at last removed into the more-favoured Cape colony, in missionary waggons drawn by oxen! (p. 329.) But, even in these latter days, though the sucklings are in Capetown, and give Captain Harris credentials to their papas, still the wives are with the missionaries, and still we hear of preparations for instant flight, not to the mountains, but to colonial drostdies; and not because of an actual religious persecution raging in the land, but because "they reasonably dreaded the summary vengeance of the exasperated savage," for political offences! Indeed, Moselekatse, who, says Captain Harris, (p. 152) "is yet extremely anxious to produce impressions favourable to himself amongst the white people," made himself more obnoxious to the American missionaries among his nation, "by exacting from his subjects an abject deference, *little according with American views of tolerance*," than by any overt act against these people, whom he seems to have despised. His real crimes are as follow:—

"Although the tyrant *had not opposed* the establishment of the mission, its presence was far from agreeable to him; and not only had he withdrawn himself from Mosega" (his capital city), "but he had also given great annoyance, by interdicting his people from entering the service of its members, alleging that they were *capable of taking care of themselves*. Under so *despotic* (!) a government, it is not probable that the Matabili *will ever* derive much advantage from the exhortations of ministers of the gospel, were they even better disposed to receive them. In lieu of the reverence to which these worthy men were entitled . . . we not unfrequently observed *groups of both sexes gazing in* at the windows of the mission-houses,

as at wild beasts in a menagerie, with every demonstration of merriment, at the expense of their inmates: behaviour, which the proceedings on the part of the king could not fail to induce on that of his subjects."!!*

Even Mr. Boyce admits, that these men "never had any prospect of usefulness" during the three months of their sojourning in Moselekatse's country (p. 147, note): and since their return into the Cape colony, they themselves have in public discourse confessed, that, "though the people listened to them with attention when they explained any of the truths of religion, *they had no means of keeping their attention fixed.*" They had not the flowing alb, the cross-imprinted chasuble, the wreathing incense, nor the silver sacring-bell: they had no priest, no altar, and no sacrifice! What would we not give to witness the sensations of these music-loving savages, awakened first to the mystic harmonies of the inward life, by the *Canto fermo* of Saint Gregory! The way is now more open to us than ever it was. Fearing the king's vengeance for their suspected connivance in the surprisal and the burning of his capital by the boers, in the beginning of 1837, they fled, unpursued, to his enemy Dingaan, who has since got rid of them in a still more summary manner. Untaught by the past, they had repeated at Unkunkinglove, the royal capital, and against the person of Dingaan, the railing and detracting accusations from which Moselekatse had formerly suffered: and, from the confused and contradictory accounts which Mr. Owen and Mr. Boshoff† give of the massacre of Retief and his companions by Dingaan, who, as the first-named clergyman admits, gave "a very plausible" account of the personal apprehensions which occasioned it, we gather, that the English Protestant missionaries at that court were implicated in the same offences, and to the same degree, with their American brethren. And yet he confesses the precautions taken by the monarch to secure the lives and properties, not only of himself and the other missionaries, but of Englishmen at large, and indeed of all but the boers his enemies: "his consideration and kindness," his "kind and well-intended regard to his feelings as well as safety," at the very time too that the heavy charge of seditious language against that prince, uttered by Mr. Owen and the other missionaries in their talk with the wives and concubines of the monarch, was hanging over the

* "Harris's Expedition, p. 95.

† Boyce's Notes, 147, 152.

heads of all of them! And it is not denied that, "after a mock trial," as Mr. Boyce (p. 155) chooses to phrase it, in which they were fully convicted of this offence, "Dingaan, having *extorted a waggon* and other presents," (or, in other words, having inflicted fines upon them to that amount) "permitted them to depart for Port Natal and the Cape," being, as we must think, lightly dealt with under all the circumstances of the case. A few of them had for awhile tarried behind the others, and shortly afterwards these, somewhat ostentatiously, deputed one of their number to request Dingaan's leave to discontinue the mission. The prince disdainfully acceded to the prayer, and his answer and behaviour on that occasion have extorted even Captain Harris's applause.

"'Get you gone,' said the *despotic* (!) monarch, 'and with all speed. Had this application not come from yourselves, I must have turned you out of the land, learning, as I do, from the girls of my family, that '*you never speak of me but as a liar and a murderer*, and are continually praying to heaven for deliverance *from so foul a villain!*' The ladies of the seraglio, on being summoned into the royal presence, did not fail to bear testimony to the flattering encomiums which had been passed on their liege lord by the 'white teachers,' who, to the renown of Dingaan be it written, were nevertheless suffered to depart out of the kingdom, *without hindrance or molestation.*"—p. 373.

And now to the holy patronage of the heroic martyrs and saintly doctors of Africa, to the Cyprians, the Augustines, and the Cyrils, and, above all (for far more local, and therefore far more intimate assuredly, must their affectionate and sympathetic attachments be still in heaven, as once they were on earth), to those illustrious fathers of its *Deserts*, who, peopling these with their recollections, made heaven populous with saints, do we commend, in all fervour and all confidence, the cause of their countrymen, dwelling in the farthest south, and in the shades of death, and in utter ignorance of their glories, and of Him in whose holy name and through whose outstretched arm they did, by sufferings sore, achieve them: and as their prayers ascend for ever and ever, upon the behalf of these long-neglected countries, unto Him, so He, in his own good time, will answer them! *Domine, usquequò?*

"Da mihi animas!" Such, at this critical time, is, or should be, the cry which the Church in Southern Africa uttereth to the ears of Catholic Europe. And if the latter have ears to hear, let her hear that cry; and hearing it, let her contribute to the Church's need. She asks for Catholic immigrants

before, and far rather than, the alms she so much needeth ! Her sainted treasures are unsupplied, her old losses are unrepaired, the means of contenting the mendicants of her mercies, spiritual and corporeal, are wholly wanting unto her ; and, in fine, she hath no other wealth than the piety and fiery zeal of her gifted bishop and his little band. Yet is her chiefest demand for *souls*, rich in the graces of religion,—for stout hearts and hardy frames to advance and defend her progress. Let Ireland,—let the continent but pour into her withered veins the healthy stream of Europe's Catholic blood, and in an instant her sickly members, palsied now with baleful indifferentism, shall arouse themselves as from a death-slumber ; and, clothed with new strength, restore the sinking fortunes of the Time-strife. To-day, occasion waits upon our wish. Do capitalists meditate an emigration to the colonies ? The boers have forsaken the localities they incumbered, and have gone elsewhere to vegetate. In 1827, ten thousand settlers might have found room in the Cape colony ; now, double that number can more easily establish themselves. Land, cheapened by this emigration, and by the dearth of labour, is cheaper than it has ever been, cheaper than it soon will be. So many of the most eligible locations, abandoned by these senseless boers, are for sale at present, that the commodious buildings and improvements effected upon them by their late owners, are scarcely taken into the account either by sellers or by buyers ; and thus, with no other exception than that of the immediate neighbourhood of the capital towns, we may safely state, upon colonial authority, that the price of land ranges from 1*s.* to 5*s.* per acre, according to quality and situation. If these prices are far cheaper than those demanded in any of the colonies in Australia, the cost of emigration to the Cape is the half of what the Australian voyage will demand. The wine-trade of the Cape has essentially declined, by reason of the unaccountable discouragement of Cape wines, produced in 1825, by parliamentary interference in favour of those of a foreign soil ; and this at a time when the last year's produce had amounted to 1,709,816 gallons of wine, and 201,552 gallons of brandy (*Martin's Hist. of Southern Africa*, 241), and when the property embarked in this trade in England and the colony was estimated at 1,905,000*l.* Yet, in spite of these discouraging circumstances, in 1838, as the Cape Calendar for 1840 informs us, there were 1,090,528 gallons of wine exported to different countries from the Cape. At the time of the reduction of the protecting duty, the character of the wine had begun

rapidly and notoriously to improve, and still that marked improvement in the wines of certain vineyards at Stellenbosch, Drakenstein, and the Paarl, distinguishes the wines reserved for consumption within the colony, from those exported for the London market. Our experience certainly confirms that of Mr. Montgomery Martin, who drank, in the colony, Cape Madeira as rich and mellow as the best productions of the island of that name, and Cape Pontac as well flavoured as the best Burgundy. And we are convinced that this ill-treated colony will, with fair play in the English market, and with the total reduction of the absurd duty upon importation of its wines into English ports, vie successfully with many a wine country, now enjoying, unjustly, a far better repute.* Yet, of the discouragement of the wine trade, the best result has been the embarkation of capital, which would otherwise have been wholly dormant, in a new, and, to say the least of it, an equally productive speculation—the wool-trade. The rate of increase of their exports since the introduction of Merino sheep in 1832, has been seven-fold in six years, ending with 1838, which is a larger ratio upon the whole than that of the colonies of New South Wales and Van Diemen's Land, during the similar period in the history of their wool-trade. We copy from a Colonial document the following tabular account of these exports, and their value :

1832	...	6,789 lbs.	valued at £ 3,356.
1836	...	256,629	„ 13,116.
1837	...	351,824	„ 22,164.
1838	...	490,754	„ 26,627.

During this period, some considerable allowance, moreover, must be made for the embarrassments and losses occasioned by the formidable Caffre war of 1834-5, now however so triumphantly and happily extinguished, that even the possibility of its recurrence is for ever removed. And this im-

* Let those who doubt or smile at our assertion, put it to the proof as we have done. An order, forwarded *direct* to Messrs. Ebdon & Co., or some other Cape Town house equally respectable, will obtain, for the moderate sum of 16*l.* the pipe, the best Cape Madeira that Stellenbosch or the Paarl can produce for Cape consumption, but which, owing to the unjust disparagement of Cape wines in the London market, rarely reaches the Thames. When it does, it is sold to British *connoisseurs* as Sherry or Madeira, and at adequate prices, while the sagacious wine merchants take care to keep in their cellars the *worst* samples of the Cape produce, and to exhibit them *in terrorem* to enquirers after the *best* sort grown at the Cape ! We wish for his own financial credit, that the chancellor of Her Majesty's exchequer would make the experiment we suggest.

portant trade is steadily progressing in the same arithmetical proportion. The following extracts are taken from *Martin's History of Southern Africa* (pp. 195 and 259).

"The good soil of the colony is in considerable quantity ; . . . the vine, the olive, the aloe, the mulberry, &c. all thrive ; tobacco and hemp may be raised to any extent ; hides, ivory, horns, oil, gums, &c. are procurable in great abundance. The shores abound in every variety of fish, and the country at large in vast flocks of cattle, sheep, &c. : . . . in fine wool we may now consider the colony as becoming the rival of New South Wales." . . . In Albany, "a farm of 6000 acres," is estimated "at 1s. 6d. the acre," [or 450*l.*]; "the government transfer-duty of 4 per cent. at 18*l.* ; buildings, or repairs, of those already on the farm, 200*l.* ; furniture, 100*l.* ; 3000 native ewes at 2*s.*, 300*l.* ; 40 Saxon rams at 12*l.*, 480*l.* ; 10 do. ewes at 5*l.*, 50*l.* ; a wagon, 45*l.* ; 20 cows at 20*s.*, 20*l.* ; 12 draught oxen at 30*s.*, 18*l.* ; 4 horses and 4 mares, averaging 6*l.*, 48*l.* ; total, 1729*l.* To this estimate may be added the annual quit-rent, from 3*l.* to 4*l.* ; and the annual taxes to about the same amount : 2,700*l.* would be ample, after paying passage-money for the family, for the Saxon sheep, and for two head shepherds, and would suffice, until returns could be had from the increase of flocks, &c."

And thus much for the small capitalist. But as to the labourer and mechanic, they are demanded generally from the East of the colony to the West. In Uitenhage, Albany, and the Cape district, predial servants,—and, in Beaufort and Uitenhage, domestic servants, are stated by the *Cape Calendar* for 1840, to average 2*l.* 5*s.* a-month. Another authority, the *South African Commercial Advertiser*, is inclined to state the average of agricultural or pastoral labour at from 9*l.* to 10*l.* per annum, besides board and lodging. This is certainly very much less than the cipher which we have sometimes seen quoted as the Sydney market-price of the same commodity. But intending emigrants should remember that wages, nominally high, become woefully reduced in their real value, if provisions and other necessities of life are likewise high. They should also remember that, at the Cape, they will be, by half the distance, nearer their European homes, than if, by the payment of twice the passage-money, they migrate to the Australias. During twenty years before the last great emigration of the Boers, the country price of meat was one penny the pound, and of wheat 3*s.* the bushel. And even the enhancement of an emigrant's outlay in these respects, caused by the sudden

withdrawal of the flocks and herds of the disaffected Boers from the colony, will be speedily made up to him, when he himself, from a consumer, becomes a producer. We consider these estimates, which we have chiefly derived from the talented pen of Mr. Fairbairn, the able editor of the *South African Advertiser*, to err upon the less sanguine side. We know that Mr. Cloete's labourers, in his Constantia vineyard, earn about 27*s.* a-month, and their food and lodging. According to the affidavits of the labourers of another proprietor, Captain Blankenberg, of New Constantia, they received at his vineyard daily, besides two bottles of wine, or one good meal with coffee, as much as 2*s.* or 2*s.* 6*d.*, and even, on one occasion, 3*s.*! Even the "Caffres, Bechuanas, and Fingoes, in Graham's Town," according to Mr. Boyce (p. 126), "are in the weekly receipt of wages averaging those of respectable labourers in England." And yet their work is of course vastly inferior to that of Europeans; neither would the missionary influence over the latter prevent them from hiring themselves, at their own pleasure, for longer terms than by the day, as it has done with these senseless aborigines, to the great distress of their employers, whom the dearth of other labour has placed completely at their mercy. As to mechanics, they are in universal request; even Cape Town, the capital, is far from being adequately supplied; and it is impossible to estimate what exorbitant wages await them in the interior. Towards the middle of 1840, a great public meeting at the Cape unanimously resolved to tempt Irish emigrant labourers to visit their shores. This is the only way to touch the evil, which is general, demanding the attention of the government and the whole community. The former,* so

* We cannot better illustrate our accusation than by a reference to the deplorable want of good roads in the most valuable districts of the colony. The rich garden-district of Stellenbosch, with its dairies and store-farms, is, from the want of a good road, nearly useless to the Cape Town residents, and the ships in Table Bay, although the distance is but twenty-six miles. A few portions of the present beaten track cross some patches of deep white sand; all the rest of the line of road being confessedly excellent. Yet the Surveyor-General, Major Mitchell, whose duty it would be to superintend the work, if undertaken by the government, has reported against its practicability, by reason of this white sand, although he admits that he has not bored it in any place to a greater depth than five feet. The *scientific* Mr. Darwin, who *visited* the Cape in 1836, most incorrectly states, in the book, to publish which he received, he says, 1000*l.* from the Admiralty, that "the sands have been bored *along the whole line* to the depth of about *forty feet* without any success." (*Researches in Geology*, p. 576.) But all road-makers will tell him, and Major Mitchell, too, that it is easier to make a firm road over even the deepest white sand, than a rail-road over Chat Moss, or the common country-roads over Irish bogs. And yet

supine in all its colonial measures, must yield at last to the complaints and the pressure of the latter, and, sooner or later, must Mr. Fairbairn's valuable suggestion be adopted, and the present Crown quit rents, and the proceeds of the future land sales, be devoted to the purposes of European emigration. The Crown quit-rents of 1838 amounted to more than 15,000*l.*; and even supposing that the yearly land-fund is never to exceed that amount, that alone would suffice to import annually fifteen hundred labourers from Europe. Among Catholic countries, Ireland,—among Irish provinces, Galway,—have taken the lead in opening a subscription-fund for the relief of all from the pauperism of many, by the emigration of the latter. May that example be followed elsewhere! And, when the most useful clause in the Irish Poor-Law act, the emigration-rating clause, is put in force, the guardians of the poor should remember that the Cape needs emigrants, as well as the Australias. They may perhaps bethink themselves, too, of the smaller outlay which the South African voyage demands, and the solemn trust commended to them, not to waste or misapply money so sacred as that which is, emphatically, the money of the poor. The same expense to their localities will relieve them of a greater number of paupers through the Cape, than through the more distant countries to the eastward of that colony. And these poor Irishmen will find a new home within eight weeks' journey from their old one, and, with it the hope of speedier return to their still beloved father-land. And, on the other hand, the pious Irish ecclesiastics, who labour there, will find themselves a hundred-fold repaid for the increase of their duties, by the renewed devotion, the freshened Catholicity, engendered

the foundations of these latter, solid and hard as Irish tourists have always found them, are of a simple and cheap construction. A deep bed of heather bushes ranged in regular lines, is first laid;—upon these, coarse gravel mixed slightly with loam is heaped, and the summit is covered over with a thick coating of macadamised metal,—two trenches being first cut on either side to drain off the imprisoned waters. Upon the Cape Flats, these would not be wanted for drainage, but would be filled with stones or other consistent solids, and would thus support the intervening road-way, by resisting its lateral expansion, when compressed. But argument is almost superfluous; the inhabitants of the district have themselves offered to make the road, and so open Stellenbosch to Cape Town and its markets, at their own expense, if government will permit them to levy a toll for their own reimbursement. And the government has refused them that permission! The consequence is, that to convey 152 gallons of wine to the town-merchant, who pays, at the present market-price, 60 rix-dollars for the lot upon delivery, the grower must continue to pay the carrier 20 rix-dollars, or one-third of its value!—(See Major Parlbys letter in the "South African Advertiser," of the 4th March 1840).

everywhere by the novel examples of these simple and faithful men. And, as often as old congregations restored or recruited, and new ones formed, by these emigrations of European Catholics, shall offer to the eyes of the government the requisite amount of one hundred members in one place, so often will new altars raise their heads amid the desert, fraught with the pure oblation making the name of its High Priest "great among the Gentiles," who as yet have known Him not. And lastly, by degrees, will be fulfilled, in a better and more perfect sense than that wherein he intended it, the prediction of the sagacious and observing traveller, whom we have so often quoted:* for thus "the place vacated by every Dutch farmer will be filled by an industrious peasant; and when the colony shall have recovered from the first shock, it will be found not to have suffered from the change." And so we shut his book, and close our own remarks, with these appropriate last words of comfort and "Good Hope."

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- ART. II.—1. *Historisch-politische Blätter für das Katholische Deutschland.* (*Historico-political Papers for Catholic Germany.*) Edited by Professor Philips and Dr. Guido Görres. 5 vols. from 1838-1840. Munich.
2. *Der Sion.* (*The Sion.*) A Journal edited by Dr. F. Herbst, from January to July. Augsburg: 1840.
3. *Der Allgemeine Religions und Kirchenfreund.* (*The Universal Friend of Religion and the Church.*) A Journal edited by Dr. Beukert. January to July 1840.
4. *Der Katholik, herausgegeben von Dr. Weis.* Nos. January to July 1840.
5. *Conversations-Lexicon der Gegenwart.* (*Dictionary of Conversation for the Present Times.*) Leipzig: 1840.
6. *A Handbook of Travellers for Southern Germany.* Murray, London: 1838.
7. *Ausflug nach Wien und Presburg im Sommer 1839.* (*Excursion to Vienna and Presburg in the Summer of 1839.*) By Dr. Frederick Hurter. Schaffhausen: 1840.
8. *Social and Political Condition of Austria.* By G. P. Turnbull, Esq. London: 1839.
9. *Kunst und Künstler in München.* (*Art and Artists in*

* Harris's Expedition, p. 363.

Munich.) By J. W. Sörtl. (Extracted from the Journal *The German Pandora*.) Stuttgart: 1840.

10. *Münchener Jahrbücher für bildende Kunst.* (*The Munich Annals of Imitative Art.*) Edited by Dr. Rudolf Marggraff. Leipzig: 1839-40.

IN the first part of this article we shall lay before our readers the state of religion and morality in the Catholic provinces, principalities, and kingdoms of Southern and Western Germany; in the second, the state of public education, literature, science, and art therein, dwelling more particularly on such, as, from their geographical extent, their political importance, and moral and intellectual eminence, are most deserving of notice and consideration. These states and provinces are Rhenish Prussia, Westphalia, the duchy of Hesse-Darmstadt, the duchy of Nassau, the free city of Frankfort, the grand-duchy of Baden, the kingdom of Wurtemberg, the kingdom of Bavaria, and the German provinces of the Austrian empire. The moral and intellectual condition of the Catholic population in the other parts of the Germanic confederation will claim our attention on some future opportunity. when we shall be happy to supply, in regard to the above-mentioned states, any omissions which want of space, or imperfect information, may have occasioned. The political state of these cities, provinces, and kingdoms, is either not at all, or but very cursorily noticed, the subjects treated being quite ample enough for the limits of an article. The works, whose titles have been given above, are the main authorities for the statements we have advanced. But these authorities have been compared with other works; some important facts we have derived from the oral communications of German friends; and others again, particularly as regards Rhenish Prussia, we have drawn from our own personal observation.

We shall now premise a short account of the works, whose titles have been prefixed to this article. No. 1 is a widely-spread periodical, supported by the most distinguished literati of Catholic Germany. It contains most valuable historical essays, and affords abundant information on all topics connected with the state of the Church, politics, and literature in Germany. The *Sion*, and the *Friend of Religion*, are two excellent Bavarian journals, noted for their orthodoxy and the copious intelligence they give of ecclesiastical affairs. No. 4, *Der Katholik*, the oldest of the German Catholic periodicals, is distinguished for the purity of its principles, and the services which, in the worst of times, it has rendered to

the Church. No. 5. The *Conversation's-Lexicon* is one of the ablest organs of the Rationalist party in Germany, and therefore any of its admissions in favour of the Catholic Church and its members cannot be regarded by the most prejudiced Protestant with suspicion. No. 6, Mr. Murray's able and well-known *Handbook for Travellers in Southern Germany*, evinces, in speaking of Catholics and Catholic usages, more liberality and fairness than might be expected in the quarter from which it emanates. No. 7, Dr. Hurter's *Excursion to Vienna*, contains many masterly sketches of the state of religion, manners, and science in Austria. The tone of candour which it breathes, the soundness of its principles, and the depth of many of its observations, are worthy the illustrious author of the *Life of Innocent III.* No. 8, Mr. Turnbull's *Social and Political Condition of Austria*, is the work of an honest, acute, and sensible Englishman, full of judicious remarks and valuable information on the political and commercial relations of Austria, and, in matters ecclesiastical, endeavouring to be as impartial as the early prejudices of education, and his ignorance of Catholic dogmas and discipline, will permit. No. 9 is an interesting essay on the state of art in Munich, by a literary gentleman of that city. No. 10 is a valuable periodical devoted to the same subject.

Germany, the most powerful, flourishing, and enlightened empire of the middle age, was shaken to its basis by the Reformation. This great event, prepared by the opinions and the practical abuses that grew out of the great western schism, as well as by the heresies of Wycliffe and Huss, was more immediately brought about by the moral relaxation of a large portion of the clergy, by the spiritual ignorance to which their neglect had abandoned the people, by the degeneracy of the scholastic philosophy, the abuse of classical literature, and the revolutionary spirit of the German nobility. The lava-flood rolled with resistless impetuosity over the north of Germany, and threatened to inundate the south. But happily in those provinces, which had remained faithful to the Church, a prodigious moral reaction took place. Providence raises up zealous and learned champions of the faith, the fervour of ancient piety revives; ecclesiastical seminaries are everywhere established; the old universities become informed with a new spirit; and the great society of Jesus in particular, in all the elastic vigour of youth, rolls back the tide of religious innovation. But towards the close of the seventeenth century, torpor succeeded to this religious enthusiasm; and about the

middle of the following age, the reception which the schismatical work of Febronius* on the hierarchy met with among a portion of the German clergy, showed how deeply it was infected by the spirit of the times. Twenty years afterwards the three electors of Cologne, Treves, and Mayence, held a council at the baths at Ems, where they framed decrees insulting to the dignity of the Holy See, and dangerous to the maintenance of Catholic unity. These schismatical decrees called down from the sovereign pontiff a severe censure; and how bitterly did these prelates atone for their culpable attempts, when seven years afterwards they beheld their territories profaned and desolated by a foreign enemy, their subjects defeated by or fraternizing with the invader, their palaces plundered, their churches desecrated, and themselves driven into exile!

The abolition of the order of the Jesuits had left an immense void in public education, in the sacred ministry, and in ecclesiastical literature; a void which in some places was but inadequately supplied by the secular and regular clergy; in others, filled up by the crafty adepts of Jansenism.

Shortly after the suppression of this order, Joseph II ascended the imperial throne. Urged on by the innovators, and giving way to his own rash, reckless spirit, he trampled underfoot the rights of episcopal authority, despoiled the Church of a considerable portion of its property, introduced the most arbitrary changes in its discipline and liturgy, abolished almost all the monasteries, opened the flood-gates of a Jansenistical and irreligious press, and all but broke communion with the holy see. He was cut off in his full career of wickedness, leaving Austria discontented, Hungary agitated to its centre, Flanders in open, general insurrection.

But a divine Nemesis was at hand to punish kings and nations for their transgressions, and by the infliction of long and direful calamities, to bring them back to a sense of their errors. The French revolutionists, after having raised up on the ruins of the altar, the throne, and all social order, a hideous, bloody, atheistical anarchy, rushed over their frontiers to ravage Europe with fire and sword, and their still more desolating principles. Like the armies of locusts described in holy writ, whatever spot their devastating hordes overrun, they there destroyed every green thing. Religion,

* The capital error of Febronius was to attribute to the pope a mere primacy of honour, without a supremacy of jurisdiction.

government, science, civilization, are all trampled underfoot. Yet there is a circumstance often overlooked in the French revolution, that is well entitled to consideration. Like a destructive tempest, that while it levels the stateliest trees of the forest, often scatters on its wings the seeds of future vegetation, this awful revolution, in general so fatal to Catholicism at home and abroad, yet contributes in not a few countries towards its wider diffusion. In England, in Germany, in North America, the emigrant clergy of France, by their virtues, resignation, and zeal, dissipated many prejudices, reconciled many an erring spirit to the Church, and prepared the way for that noble religious regeneration, which is now passing under our eyes. In Germany the arms of Napoleon introduced the Catholic faith into cities and provinces, where for three centuries it had been utterly extirpated.

The trials and destinies of the German Church from the commencement of the French revolution, down to the memorable event of the 20th November 1837—the captivity of the archbishop of Cologne—have been portrayed with incomparable truth by the hand of a great master; and long as the passage may be, we trust that its bearing on the subject under consideration, will be a sufficient apology for its insertion here.

“In this state,” says the illustrious Görres in his *Athanasius*, “did the revolution find the clergy of Europe in general, and that of Germany in particular. The Lord had permitted that the wild wind-storms should be unbound to winnow his barn, and scatter the chaff in all parts of the world. The second great spoliation, which occurred some centuries after that of which we have been speaking, was inflicted on the Church: but this would have been of little import, had the guardians and administrators of her treasures been found in the hour of trial with that bearing and resolution which were necessary for enabling them to resist with courage and firmness the violation of the better and nobler patrimony confided to their keeping. But the previous school, in which the clergy had been trained up, was not of a kind to form characters capable of meeting such extraordinary exigencies. Accordingly, that occurred which was inevitable: the wolf fell upon the flock, and took without resistance all he pleased: the shepherds dispersed and fled, part leaving all in the lurch, part joining with the assailant. ‘Sauve qui peut’ was the watch-word: but it must be understood that there were many honourable exceptions. These, however, as they met with no adequate support, could render no considerable service to their cause. The Church was thus not merely despoiled of her temporalities, but was fettered, mediatized, secularized, and incorporated with the abstract state as

one of her subordinate abstractions. It dragged on for years a sorrowful existence, protracted from day to day : the springs of living water which had once purled around it, crept sluggishly in their shallow beds, and seemed on the point of being utterly dried up : the vineyard, declared to be a state-domain, began to run wild, and sour grapes were growing on its twigs.

“ When the worst had gone by, and a species of restoration was about to be attempted, then, to speak after a human fashion, the state of the German Church was extremely disconsolate. That her ancient secular pomp and glory had gone from her, might, indeed, have been endured (for her kingdom is not in the midst of frivolity), provided only the ancient spirit had not deserted her. But her prospects were clouded and cheerless, because the light from above glimmered upon her through a greyish mistiness. Those on whose heads the fiery tongues of celestial gifts still shone were comparatively few; and it seemed as if the hour of evening approached, and night were again to return for a time. Meanwhile Providence was watching : the sacred fire still burned in a hidden spot : there were still found those who had guarded it with care, and several, and then others, came by degrees to enkindle their torches at its light. Many, however, who had grown up under the new order of things, conceived that this fire from above had, as was now proved, not substance enough permanently to maintain its efficacy, so they had recourse to science, that it might shine as a lamp to their paths.* Science is good, but it must first be penetrated with that celestial fire, else it becomes an *ignis fatuus* that conducts into the wilderness. Into such a wilderness, in fact, many were led, whose Christianity waxed weak in proportion as this learning was imbibed. For Christianity *has* indeed a science, but *is* not science itself ; it is rather an art,—yea, the highest, purest, and noblest of all arts, which cannot be exercised without genius. But this genius is not bestowed on the intellectual merely—it is imparted to all, and therefore by no means denied to the wise ; yet it dwells by preference in the simple-minded, and gives them the power to leaven with their simple wisdom thousands who are unlearned. As the party we have described thought to render in the Church the higher wisdom superfluous by means of the earthly, so others† took compassion on ecclesiastical discipline, and sought to substitute for its high asceticism the home-spun morality of the age, or in part the agency of the police force. * * * * From this spirit have proceeded on one hand the scandals of the anti-celibacy party, and on the other, the harlotries of those political churchmen with the civil power, in order to bestow on the Church the blessings of

* Görres alludes more particularly to the Hermesian party.

† Görres alludes to the anti-celibacy party in Baden, Wurtemberg, and Silesia, of whom more hereafter.

their police discipline, and other measures of coercion. Amid the intellectual dissolution which the first-named error occasioned, and the moral dissolution which the other necessarily produced, a so-called *juste milieu party* was formed in the clergy—a party which was neither the *juste milieu*, nor the true and happy medium. The most moderate, inoffensive, legally honest folks of this order belong to it; all such persons as detest evil in its excess, shun extremes, value peace and tranquillity above all things, and seeking everywhere a middle point, suffer themselves to be guided by circumstances, while, being neither hot nor cold, they confine themselves to the immediate circle of their functions. Those who with ancient gravity, like the archbishop of Cologne, hold really the happy medium, appear to this lukewarm faction, as well as to those between whom they oscillate, either as exaggerated idealists who, soaring always in the clouds, uselessly strive to realize the impracticable, or as wilful, obstinate men, with whom no accommodation is possible, and against whom all the hateful passions may be let loose. The conduct of the present chapter of Cologne, so different from that which, in Archbishop Gebhard's time,* saved the archiepiscopal see, as well as the behaviour of a portion of the Rhenish clergy towards the man who alone has redeemed the honour of the priesthood, and perhaps averted from its head the drawn sword of the judge, afford irrefragable evidence of the truth of this picture."—viii. 118-21.

I. The great event of the 28th November 1837 has produced throughout all Germany a strong religious reaction; but nowhere, as we may suppose, is that reaction more evident than in the diocese in which that event occurred. Of the improvement of religious feeling in the arch-diocese of Cologne, as well as in the suffragan one of Treves, we ourselves can speak from personal experience, and the testimony of enlightened observers. This improvement is evidenced by the more frequent attendance of the laity of all classes at masses and at sermons on week-days, as well as Sundays and holidays,—by the increase in the number of those frequenting the sacraments of confession and communion,—by the new fervour with which processions and other public exercises of devotion are followed,—finally, by the numbers who have recently enrolled themselves in religious confraternities. Misfortune has served to knit closer the bonds of union among the clergy. Deprived of their venerable prelate, the archbishop of Cologne, they have felt the necessity of a more

* Archbishop Gebhard, at the end of the 18th century, became a Protestant, married Agnes of Mansfeld, and after exciting great troubles in the electorate, was deposed.

cordial cooperation. The majority of ecclesiastics in the dioceses of Cologne and Treves are sound in doctrine, and humbly devoted to the decisions of the Holy See. Even the Hermesians, who in these districts are numerous and active, and in that of Cologne were supported by the Grand-Vicar, M. Hüsgen, and several members of the chapter, agree with their orthodox brethren in condemning and discountenancing the unconditional solemnization of mixed marriages. Some members of this party have openly recanted their errors, and submitted to the judgment of the Church; others are evincing a more conciliatory disposition. Among the laity, it is acknowledged even by Protestant journals, that those members of the Church, formerly lukewarm, are now become zealous and fervent: and that even professed infidels, whose attention has been awakened by recent events to the consideration of religious matters, have been converted to the Catholic faith.

The peasantry, in particular, throughout Rhenish Prussia, and indeed in most parts of Catholic Germany, have preserved in all their morning freshness the vivacity of ancient faith, and the tenderness of early piety.* Nothing is more pleasing than to see, during the octaves of particular feasts, the rural processions of neighbouring villages, headed by their respective pastors, bearing emblematic banners, and singing in devout chorus their simple hymns, enter a town to perform their devotions in the church of the saint commemorated. Nothing more touching than at "twilight's hour," to hear the choral harmony of prayer, as groups of peasants with rosary in hand, slowly move homewards reciting the Pater-noster and Ave-Maria: or, in the noon-tide heat, to see in some cool shady recess by the road-side, the countryman laying down his burden, like the cares of life, before the image of the Madonna and infant Saviour, kneel, and with outstretched arms† pour forth his soul in earnest prayer!

Westphalia is generally esteemed the most uncorrupted province in Germany. The physical and moral aspect of this country,--its fertility in every species of grain,—its ex-

* In this point consists the great moral superiority of Catholic Germany over France.

† Dr. Rock, in his learned and interesting work, the "*Hierurgia*," has noticed the fact, that the peasants of southern Germany have preserved the custom of extending their arms in prayer, which, as is proved by the paintings in the Roman catacombs, was observed by the primitive Christians. The same custom prevails among the peasantry of *western Germany*.

tensive forests,—its wealthy and powerful nobility,—the deep-rooted piety of its inhabitants,—the honest simplicity of their character,—their reserved manners,—and their solid sense rather than brilliant capacity, offer many points of analogy to the people and country of Brittany. A series of distinguished pastors and writers, like Furstenberg, Overberg, and Katerkamp, Count Stolberg (who took up his residence in this province), the present archbishop of Cologne, and his brother the bishop of Münster, by their writings, as well as their pastoral labours, and their direction of the public schools and ecclesiastical seminaries, have achieved much within the last forty years for upholding in Westphalia the integrity of faith and the fervour of ancient piety. Although it was here Hermesianism first had its rise, yet in this genial atmosphere of faith, this sickly offshoot of the Kantian rationalism has never been able to thrive: the Westphalian priests and professors, educated in the doctrines of Hermes, having for the most part recanted their errors. Westphalia, too, has the honour of being the birth-place, and the scene of the extraordinary miracles and revelations of the greatest religious contemplative of the present age, Anna Catherine Emmerich, the nun of Dülmen, of whom an account was given in a former number of this Journal.

The satisfactory state of religion in this province will best appear by the following letter from the diocese of Paderborn,—a diocese which until lately was not near so well administered as that of Münster.

“Every day,” says a recent correspondent of the journal *Der Katholik*, “every day we witness, that since the Cologne affair, ecclesiastical life has taken a new spring. For many years, Catholic zeal, resting, as it does, on justice and right, has never shown such courage, energy, and perseverance, as since the imprisonment of the archbishop of Cologne. Clergy and laity strive who can surpass the other in attachment to their religion and Church. On the part of the bishop, the concessions, which from over-indulgence he had made, and the consequences whereof were not sufficiently weighed (as, among other matters, the Coblenz articles), have been worthily redeemed. The earlier advisers, who were but too ready to acquiesce in the demands of the government, have been removed; and men of tried courage and prudence now surround the aged prelate. But not content with preserving the faith, our venerable bishop exercises on all sides works of charity. * * * *

The example of the bishop is followed by the inferior clergy. We have a priesthood, such as few dioceses can show. It watches over the faith, upholds pure doctrine, evinces an ardent, yet tem-

pered, zeal in the cause of morality, and unceasingly labours to administer consolation on every side. * * The teaching and zeal of the clergy produce their happy fruits. * * Every morning we find numerous devout souls in the churches, assisting at the holy sacrifice. On Sundays and holidays, during the morning and afternoon devotions, the churches are filled to overflowing, the confessionals are besieged, and many are the guests who approach the table of the Lord. All are full of zeal, and even the former scoffers are become the most ardent defenders of religion. Oh! could Clement Auguste of Cologne, Martin of Posen, and our most holy Father in Rome, witness this change for the better, what solace would they not feel! The Lord will convert their sorrow into joy."—*Der Katholik*, June 1840: vol. lxxvi. p. 126-7.

We now come to the mostly Protestant state of Hesse-Darmstadt, where we find however one of the strongholds of German Catholicity,—the city of Mayence. This city, which is a great mart for German Catholic literature, is blessed with an excellent clergy, and a very religious population.

The free city of Frankfort contains about 30,000 Protestants, 10,000 Jews, and 10,000 Catholics. But the Catholics, small as they are, include some of the wealthiest and most influential families of the city; and the whole body, laity and clergy, are distinguished for zeal and piety. As a gentleman of Frankfort assured us, the Catholics of this city, though comparatively small in numbers, are of such weight and importance, that without their aid and co-operation, no great undertaking in affairs of state, art, or science, can be carried on.

The duchy of Nassau is nearly equally divided between Catholics and Protestants, the former numbering 136,053 souls, and the latter 193,667. The Catholics are under the jurisdiction of the see of Limburg, which is at present worthily filled by the excellent Dr. William Bausch. Of the state of religion in this duchy we are unable to speak, except so far as relates to its most beautiful and fertile district, the Rheingau, where, as we have been informed from the best authority, the clergy are zealous and exemplary. For this blessing, the diocese is indebted to the teaching of the Theological Faculty of Giessen, whose influence is now as salutary as that of Freyburg (in Breisgau) had been pernicious.

We now arrive at the grand-duchy of Baden,—the scandal

and plague-spot of Catholic Germany. The causes of the decline of religion in this grand-duchy, and the neighbouring kingdom of Wurtemberg, have been ably traced by a writer in Görres' *Historical Journal*. After noticing the policy of Napoleon, who, jealous as he was of ecclesiastical authority, still left to the bishops a certain degree of freedom in the administration of affairs purely ecclesiastical, the writer observes:—

“ In South Germany the case was different. The rich heritage of bishoprics, chapters, and monasteries, had mostly fallen to the lot of Protestant sovereigns. The bishops died away by degrees; the chapters were dissolved, and, together with their rights, lost all their importance and signification. The clergy remained without superintendence, without regular union: the territorial system, by the extension and rounding off of states, was immediately enforced: secular offices, at most filled by truckling churchmen, were established to exercise the privileges wrested from the bishops, who (as in the case of Wurtemberg), had often their see in a foreign territory. No one dreamt of a reorganization of the Church; a superficial illuminism laid hold on the minds of the rising youth; the mania of innovation turned all heads; and to all these disorders the universities contributed not a little.”—*Historical and Political Journal*, vol. ii. p. 545.

Of this decline of religion in the grand-duchy of Baden, the principal cause must be sought for in the university of Freyburg in Breisgau, which had formerly been an Austrian university, and where, until very recently, the principles of Joseph II flourished in all their rank luxuriance. By its shallow semi-rationalism, its Febronian maxims of ecclesiastical discipline, the scandalous lives of many of its professors, and the bad spirit of the students, this university spread a destructive miasma not only through Baden and Wurtemberg, but through other states of Catholic Germany. Hence it is not surprising that this university should have turned out a body of pastors, most neglectful of their duties, ill-affected towards the holy see, imbued with doctrines subversive of ecclesiastical discipline, and not unfrequently scandalously profligate in their conduct. It was in Baden and in Silesia that the party, known by the significant appellation of *Anti-célibataires*, who agitated the Church of Germany ten years ago, and received from his present Holiness such an indignant rebuke in the encyclical letter of 1832, found their chief support. This party of unworthy ecclesiastics affect an extraordinary patriotism, clamour for a German liturgy, a German

patriarch with a mere nominal dependence on the pope, and last, though not least, German wives. In Silesia this party, which was active and tolerably numerous, was discountenanced by the Prussian government itself, whose political foresight in this instance rose superior to its religious fanaticism. The Prussian minister told these turbulent innovators, that if they wished to remain in the Catholic Church, they must conform to its discipline, and obey its chief pastors; for their intrigues and cabals tended to disturb the tranquillity of the state.

In Baden, a powerful party in the chambers, consisting of Protestant rationalists and nominal Catholics, had long given countenance and encouragement to these ecclesiastics; and amid the political commotions of 1830, which brought up so many unclean spirits to the surface of society, this clerical faction assumed an unwonted degree of boldness and activity. But thanks to the better policy of the government, to the nomination of an excellent prelate to the archiepiscopal see of Freyburg in Breisgau, to the reorganization of the theological faculty in the university of that town, and to the generally sound spirit of the rural population of Baden, the efforts of this cabal have, within the last few years, encountered a vigorous resistance. Yet the bad spirit which still pervades a large portion of the clergy of this archdiocese may be discovered from the following facts. The archbishop lately rejected a petition for the convocation of a synod, presented by this restless faction. This refusal was grounded on the gravest motives; partly on the intrigues and misrepresentations that had been employed to gain the subscription of some of the petitioners, and partly on those principles of turbulent innovation that still animate the bulk of the Baden clergy. On this refusal, what may our readers suppose was the course adopted by these ecclesiastics, who, in the petition to their archbishop, affected such zeal for the purity of canonical discipline? Did they appeal to the pope? No. They appealed to a lay tribunal—the chamber of deputies, whose majority is composed of lax Catholics and Protestant rationalists, and implored the chamber to force the archbishop to convoke the synod!!! Again, it is stated in a journal of the highest respectability,* that after the great event of the 20th November 1837, a conversation was known to occur between some Protestant officers and Baden ecclesiastics, when the conduct of the archbishop of Cologne was defended by the former

* "*Historisch-Politische Blätter.*"

against the attacks of the latter!!! What an utter forgetfulness of every principle of ecclesiastical discipline and subordination! What a total insensibility to every feeling of decorum and propriety! We shall not afflict our readers with any more details on this painful subject. The hopes of a great moral reform in this archdiocese we found on the energy of the present prelate, and on the exertions of the new theological faculty, numbering, as it does, among its members, a Hirscher, a Staudenmaier, a Hug, men not more eminent for their great talents and acquirements, than for their zeal, piety, and orthodoxy.

Another element of regeneration in Baden is the spirit of the Catholic nobility, who now see clearly that the moral degradation of the priesthood is not only pernicious to religion, but detrimental to the stability of the state, and likely to bring disgrace and ruin on their own order. From political, as well as religious, motives, therefore, this class have seen the necessity of aiding the spiritual authorities in bringing about a reformation of the clergy.

In the kingdom of Wurtemberg, the Catholic Church stands on a securer footing than in the grand-duchy of Baden. The elder members of the clerical body, indeed, are, for the most part, as unsound in doctrine and relaxed in conduct as their neighbours; but the young clergy, trained up in a better school, give a different example, and are at once the hope of the Church, and the ornament of their country. This diocese, which is under the bishop of Rottenburg, has undergone, in consequence of the better spirit infused fifteen years ago into the theological faculty of Tübingen, a partial renovation. The illustrious Dr. Möhler, by exhortation and example, contributed much to inspire the rising clergy of his country with a zeal for the Church, a love for science, and the true spirit of their holy vocation. It was in the most desolate portion of the vineyard of Christ—in the field where the tares and cockles of heresy almost choked the wheat of faith, and where that wheat itself was of the sickliest and most stunted growth—that Providence raised up this mighty spirit, the greatest theologian, perhaps, of modern times, to accomplish a moral regeneration in the priesthood of his own land, as well as to give the death-blow to the Protestant heresy.

Here, as in Baden, episcopal authority is shackled and circumscribed on every side: the state exercises the most arbitrary interference in ecclesiastical affairs; and the present weak occupant of the see of Rottenburg is not a prelate

capable, or willing, to resist these unjust encroachments of the civil power. "Here," says a correspondent in *Philips's and Görres' Journal*, "the chapter can scarcely hold a sitting without the attendance of a secular councillor, nominated by the sovereign; all affairs must be transmitted to Stuttgart, and the real administration of the diocese is carried on there in a particular department of the ministry." Although, as we have said, by the strenuous exertions of the great theologians, a Drey, a Hirscher, and a Möhler, as well as of the distinguished canonist, Dr. Lang, neology and Febronianism have been expelled from the seminaries and the seats of learning, yet are many of the dignitaries and influential members of the clergy infected with that spirit of false illuminism, that, at the commencement of the century, inflicted so much mischief on the German Church. Thus, to give an example of this spirit;—on the imprisonment of the archbishop of Cologne, members of the chapter of the see of Rottenburg were heard to say, "the King of Prussia has not pursued the right course in respect to the prelate: he ought to have packed him in a carriage, sent him to Rome, and delivered him over to the pope with these words: 'Holy Father! here hast thou thine obedient son'!"* Can we conceive a more atrocious outrage on the part of ecclesiastics, not only against the hierarchy and the holy see, but common decency itself? Again, in a conversation which occurred between some Protestant officers and Catholic ecclesiastics on the great event of the 20th November 1837, it is stated positively in the journal we have just cited, that the conduct of the archbishop of Cologne was defended by the former against the attacks of the latter!! What a lesson of humiliation, could these churchmen have been made sensible to shame! It will be a matter of no surprise to some of our readers to learn, that not a few of this degenerate priesthood in Baden and Wurtemberg have abandoned a Church which they dishonoured and encumbered, and gone over to Protestantism.

The bad example of the clergy in Wurtemberg and Baden has operated, as may be supposed, most prejudicially on the morals of the laity. Hence the increase of illegitimate births—the spiritual ignorance and lethargy of the people—the religious indifference of the town population—the multiplication of crimes. Yet, in both these countries, as we have said, a better spirit is rising up among the clergy and the

* See "*Historisch-Politische Blätter*," vol. ii. p. 553.

people. As the traveller passes through them, he often sees new crosses erected on the road-side; and those images of the Saviour and the Blessed Virgin, which a few years ago had been falling into dilapidation, repaired and beautified anew; while the garlands wherewith the hand of rustic piety from time to time decorates them, are fit emblems of the reviving devotion of the people.

Bavaria presents, perhaps, more than any other country in Europe, the happy union of Church and state. What words can do justice to the indefatigable zeal of her present excellent monarch, in advancing the cause of religion and virtue? His munificent patronage of art and science, we shall have occasion to point out in a subsequent part of this article: but the friends of humanity, and all true sons of the Church, have equal reason to bless his generous policy. The care with which he selects ecclesiastics to fill the episcopal office, and the prebendal stalls in his gift; his anxiety to promote the due splendour of divine worship; and, among other examples of pious liberality, the expense he has incurred, and the efforts he has made, to restore the old chaste majestic style of church-music; lastly, his successful exertions in founding or restoring in his dominions, those religious orders of either sex, devoted to the care of the sick, and the education of youth;—these are services that will alone hallow the name of King Lewis of Bavaria down to the latest generations.

On the whole, however, the Bavarian people respond well to the generous efforts of their monarch. The inhabitants of Franconia and Bavaria proper have not been so much exposed to the external ravages and the moral corruption of the French revolution as those of Rhenish Bavaria and Rhenish Prussia. It will naturally be asked, if the moral condition of Bavaria be such as we have described, how can we account for the extraordinary number of illegitimate children in its capital—a number amounting to upwards of a third of the population of that city? In answer to this, it must be observed, that a pernicious law prevails in Bavaria, prohibiting parties to marry, unless in possession of a certain amount of property. This law naturally encourages illicit connexions; and its bad effect is apparent in the provinces as well as the capital. Among the peasantry, examples sometimes occur of a man and woman living in a state of concubinage, till such time as by their united labours they have earned sufficient money to enable them to contract the bonds of lawful wedlock. In the second place, there is a very large lying-in hospital at Munich, pro-

vided with the best medical attendants, and to which women in the family-way repair from a remote distance. Thus a large proportion of the illegitimate children born at Munich are the offspring of parties who are utter strangers to the city.* In the third place, it must be observed, that the multitude of natural children in a city, though a deplorable symptom of the state of morals, is no proof of the greatest depravity. In Berlin, for instance, when we even take into account its superior amount of population, the number of houses of prostitution is considerably greater than at Munich; and this betokens a much deeper moral corruption. Nor is this comparison less unfavourable to the former city, when we look at the thefts, burglaries, and murders committed in it, and which are beyond all proportion more numerous than at Munich.†

As to the state of religion in the provinces of Bavaria, we shall take the liberty of making the following extract from a letter, which a German friend (a native of Mayence) addressed to us two years ago. This gentleman, in order to study the manners of the people, travelled mostly on foot from Munich to Ratisbon and Passau.

“The Bavarians,” he writes, “are a good-natured people, full of religious faith, which is apparent even in those whose conduct is not sufficiently strict. I found everywhere on my route great piety and devotion; and even those practices which by daily recurrence are apt to become insignificant, I saw performed with great earnestness and attention. But instead of giving a general

* It is thus in the town of Bonn: the number of illegitimate children among the native population does not exceed one in every twenty-seven; but in consequence of the great concourse of women who repair thither to receive the benefit of medical advice, and enjoy the advantages of a lying-in hospital, the number of natural children becomes one in every five. This estimate we have received from a German gentleman, who possesses the very best means of certifying its correctness. From the same authority, we also learned, that throughout Rhenish Prussia the average number of illegitimate children is one in every twenty-seven. This calculation, of course, when applied to particular places, will be found to vary. Thus in large cities, like Cologne and Dusseldorf, the number is one in every twenty-one; while in small towns and villages the average estimate given for the whole province would be found much too high. There are many villages in Rhenish Prussia, where the scandal of a bastard child is unknown: and in the country parts generally, an illicit connexion entails on the female irreparable disgrace. In the village of Godesberg, near Bonn, the pastor of the parish assured us, that in the course of the last seven years, there had been but five illegitimate children out of a population of two thousand souls.

† The former fact, as to the morality of Berlin, we have advanced on the statement of a German friend, and the latter fact on the authority of a number of the “*Franconian Courier*,” which we have mislaid.

description, I can better elucidate this matter by a few particulars. In every inn (the great ones in the larger towns perhaps excepted) you find a large crucifix, and near the door a vessel of holy water, wherewith every one coming in or going out blesses himself. But what I like still more is the custom of reciting in public the prayer of the *Angelus Domini*, as well as the night prayers together. The landlord, or one of his family, repeats the prayers, while the rest of the family and all the strangers standing around respond to him. Truly there is nothing more delightful than to pass through a village in the evening ; all the bells of the country churches in the neighbourhood begin to ring, and from every house you hear the harmonious sound of prayer, and you see through the narrow windows the domestic circle surrounding the father with folded hands. These, and many other customs which I observed, increased my liking for the Bavarians. I visited also several places of pilgrimage, and was much affected by the piety I there witnessed, and by the accounts I received from the priests, whom I questioned on the subject. The same spirit is found at Munich, but as you may imagine, in a capital it cannot evince itself, either with the same purity or the same publicity. At the university, you know, there are a great number of Protestant professors and students ; for more than a fourth part of Bavaria is Protestant. Among the Catholic professors and students are many without zeal for their religion, but the majority are sound. I may here notice the fact, that many of the professors and students recite the angelical salutation even in the streets with uncovered heads."

So far, our friend. Another friend, who has travelled much in Bavaria, assured us, likewise, that it is customary in the country inns for the landlord, who always dines with the guests, to say grace before and after meals.

Thus we see, the manners and customs, as well as the feelings, of the Bavarian people are deeply imbued with the spirit of Catholicism ; the old usages of piety are still in all their freshness, and, after resisting the shock of the revolutionary tempest, which swept with such violence over this region, strike their roots ever wider and deeper throughout the land.

The resuscitation of religion in Bavaria is mainly to be ascribed to the enlightened zeal of the bishops and other Church dignitaries nominated by the present king ; to the re-establishment of religious orders and congregations for the care of the infirm, and the education of youth of either sex ; to the influence of the university of Munich ; the example of the court ; and lastly, to the great Catholic reaction common to every part of Germany.

1. The bishops in the present reign have been invariably

selected for their learning, piety, and orthodoxy. Well knowing that for many years a spurious neology had infected so many of the seats of learning even in Catholic Germany, the king has evinced a preference for those ecclesiastics, who had gone through their studies in the Collegium Germanicum at Rome. This is manifest in the cases of the Count von Reisach, bishop of Eichstädt, and of Dr. Stahl, the recently consecrated bishop of Würzburg. In an episcopal body so distinguished for learning and virtue, it may appear invidious to single out any particular example; yet we cannot forbear pointing out the young bishop of Eichstädt, as a prelate in every point of view most exemplary. He undertakes frequent visitations of his diocese, has instituted conferences and annual retreats among his clergy, and, after holding before them the most urgent exhortations, solicits of them a public renewal of their solemn obligations. In the few years that he has been appointed to the see, the diocese already shows the fruits of his active and enlightened administration.

2. The restoration of the religious orders in Bavaria, has already been productive of the best effects. The orders of the Ursulines and English dames have established schools for girls in various parts of the country; the restored Benedictines have been entrusted with the direction of some public gymnasia, which in a literary as well as religious point of view, are superior* to those directed by secular teachers; and the sons of St. Francis have been again permitted to solace the afflicted, edify the faithful by the example of a sublime humiliation, and aid the clergy in their ministrations of love.†

Eleven years ago the blessed order of Sisters of Charity was unknown in Bavaria. The king in 1830 requested some of the sisterhood at Strasburg to come and settle in his capital; they complied with his request; and now the colony has become so flourishing, as to be able to establish branch institutions in many cities of the kingdom. The inhabitants of

* The gymnasium at Munich, by a royal ordinance of the 13th May of the year 1840, has been transferred to the Benedictines, who must however follow the plan of instruction laid down by the government. The king is now building for these Benedictines a magnificent abbey and church, which will be dedicated to St. Boniface, apostle of the Germans.

† When the late king of Bavaria, at the instigation of his minister Mongelas, suppressed the order of Capuchin friars, his present majesty is said to have shed tears. By his urgent entreaty, when governor of Salzburg, he was able to rescue from the ruthless hands of the spoiler the magnificent Benedictine abbey of St. Peter's, that overhangs the town of Salzburg.

every town demand the presence of these tutelary angels; but, alas! their wants cannot be yet supplied.

His Bavarian majesty has also this year introduced into his states the religious congregation of "Daughters of the Good Shepherd," whose twofold object* is to educate poor children, and to afford an asylum to female penitents. This institution, which in France has already produced the most salutary fruits, will, we trust, be blessed with the like success in Bavaria.

About a year ago the king also sanctioned the establishment of an association for the propagation of the Catholic faith among infidel nations, called after him the "Ludwig's Verein;" and out of the proceeds of this association he has, by a special ordinance, directed that six thousand florins should be yearly transmitted to the Guardians of the Holy Sepulchre, who, in consequence of the stoppage of supplies from the revolutionized kingdoms of Spain and Portugal, have been plunged into the greatest destitution. The association is formed on the model of that of Lyons, and has for its object the support of the Catholic missions in Asia and North America. As it has met with the countenance and active encouragement of all the Bavarian bishops, there is every probability that this noble institution will take root and flourish.†

King Lewis has for several years been desirous to establish in his kingdom the Society of Jesus, but his generous efforts in this respect have been thwarted by an opposition in the chamber of deputies, where the leaven of the old spurious liberalism from time to time rises to the surface.

3. The reorganization of the public schools, and above all, the establishment of the new university at Munich, have been powerful elements for the regeneration of the public mind. Down to the year 1825, the last year of the late reign, the public schools of Bavaria were mostly in a deplorable condition. We read the following description of the state of education in that country in a letter from Germany, inserted in an excellent French journal, *Le Mémorial Catholique*, for the year 1825.

"General complaints," says the writer, "have been raised in

* The children and the penitents occupy different portions of the conventual building, and have no sort of connexion with each other.

† See the "Historisch-politische Blätter," vol. v. No. 12; see also the journal "Sion," May number, 1840, p. 595.

Bavaria as to the afflicting state of public education in that country, in spite of the enormous sums which had been devoted to it ; and even the government itself brought complaints on the subject into the very bosom of the Germanic Diet. All sensible men attributed that decline of education to the principles and the sentiments of those who are at the head of the schools, or who are charged with their superintendence. In consequence, the public looked to the dismissal of certain superior councillors of studies, to whom Bavaria is indebted for so many bad masters, and for so many disciples who resemble them. But they were deceived in their expectation. * * * We might say, that the men entrusted with the direction of the academies and schools of this Catholic country, have made it their business to bring discredit on their government in the eyes of Europe, and to corrupt the mass of future generations."—*Le Mé-morial Catholique*, tom. iii. p. 52.

The bad effects of this corrupt system of education, continued for so many years, Bavaria now feels to her cost ; yet the noble exertions, which for the last fifteen years the present sovereign has made in order to reform the public schools, have much tended to mitigate the evil, and to lay the foundation for a better futurity. The Benedictines, as we have said, have been entrusted with the direction of several gymnasia, others have been confided to the care of worthy secular ecclesiastics, and the general superintendence of public education has been given to men of virtue and religion.

In founding the new university of Munich, king Lewis used these memorable words : " I do not wish that my subjects should be learned at the cost of religion, nor religious at the cost of learning."* And the noble alliance between faith and science indicated in these words, this university has gone far to realize. But to this subject we shall have occasion to revert, when in the second part of this article we come to treat of the intellectual condition of Bavaria.

4. The recent example of the court of Munich has operated powerfully in producing a salutary change in the public mind and public manners. Deeply attached as king Lewis has ever been to the faith of his ancestors, his life in his youth, and even in the first years of his reign, was not of the most exemplary kind. But even when carried away by the violence of passion, he still preserved an honest heart ; he still stood up manfully for his Church and its sacred institutions ; and an all-merciful Providence hath taken pity on him, and

* See Francis von Baader's opening speech in 1826. " *Philosophische Schriften*," p. 366.

given him the grace in his later manhood to resist the temptations of unlawful pleasure. How indefatigable is this monarch in the promotion and encouragement of religious and charitable institutions, the reader cannot have failed to notice. No less attentive is he to enhance by every means in his power the holy pomp and splendour of public worship, while he himself sets the example of the most assiduous attendance at the sacred offices of the Church. An eye-witness, who was last year present at the solemnities of holy week in Munich, has assured us that nothing could exceed the piety with which the king and his son went through the touching ceremonies of that holy season, particularly the washing the feet of twelve poor men, and the kissing of the cross.

Such an edifying example cannot fail to produce its fruits, and we are rejoiced to hear that in the higher classes of Munich, where religious indifference and licentiousness of manners had for a long period and to a great extent prevailed, a striking reform is manifest.

5. Among the symptoms indicative of a religious regeneration in Bavaria, there are some peculiar to that country, some common to the rest of Catholic Germany. The ecclesiastical functions are performed with greater pomp; the religious processions are solemnized with extraordinary splendour; the pilgrimages are become more frequent, and are more numerous attended; and a chaster, severer style of Church music has been introduced into public worship.*

On the whole, Bavaria and Belgium may certainly be held up as the two great ramparts of Catholicity in the nineteenth century; an honour which, as a German writer has well observed,† Providence has doubtless bestowed on them, in reward of that steadfast attachment to the Church, which in every age, and under the most adverse circumstances, they have invariably displayed.

We must now proceed to speak of Austria, and we are happy to be able to vindicate its capital from the calumnious charges which in England of late years have been not unfrequently brought against it. We shall adduce the testimony of two respectable Protestant writers.

“Vienna,” says the writer of Mr. Murray’s *Handbook*, “has

* In the royal choir of Munich, which has been modelled on the papal one at Rome, the masses of Palestrina and other great old Italian masters, are sung every Sunday in the most exquisite style.

† See “*Historisch-politische Blätter*.”

been proclaimed by many travellers the most dissolute capital in Europe, but even in this respect there has been much exaggeration. There is at least none of that open display of vice which disgraces the capitals of France and England. The streets may be traversed at all hours by day and night, without encountering disturbance or annoyance of any kind. And yet the public police are neither numerous nor obtrusive. Breaches of the peace are rare, cases of drunkenness seldom occur, gaming-houses are unknown, yet a corps of 700 men constitutes the whole force of the guardians of the peace in the city and suburbs."—p. 134.

Let us now hear on this subject the evidence of the illustrious historian of Innocent III, who has recently written the instructive and engaging book of travels which stands at the head of our article.

"A people," says Dr. Hurter, "remarkable for decent joyousness of character, is ever docile. I am convinced that the records of the police, and other criminal courts at Vienna, will not show in the course of a whole year so many cases of gross immorality, from the most refined knavery down to the most atrocious crimes, as those of Paris in the short space of a fortnight. At Vienna *chevaliers d'industrie* and *gamins** are alike unknown, at least we never heard speak of such; and that ragout of rogueries, burglaries, suicides, and acts of violence towards others, which the Paris journals daily serve up to their readers, is an unknown article at Vienna; not because the publication of such is forbidden, but because the very materials for the article are wanting. In a population of nearly 350,000 souls, an individual may occasionally be found, who will attempt in one of the above-mentioned ways to improve his fortune; an act of fraud or pickpocketing may now and then occur (as on the occasion of the blessing the colours of the regiment of the Masters of the Teutonic Order, my brother had a silver snuff-box stolen out of his pocket), but in the public places, or in walking the streets, a man at Vienna never thinks of putting his hands in his pockets to secure them against foreign intrusion; or, in commercial dealings, of employing a thousand precautions, and yet in despite of them seeing himself overreached."—*Hurter's Excursion to Vienna*, vol. ii. p. 131-2.

We have been assured by a distinguished German professor, who is well acquainted with Austria, that very many examples in its capital of the most edifying piety are to be found among the upper classes of society; that some few noblemen, notorious for an audacious and frontless libertinism,

* The Gamins are boys at Paris who go through a regular apprenticeship of theft.

were on that account not admitted into the fashionable circles, and that though among the nobility and opulent bankers and merchants the depraved custom of *cicisbeism* did certainly exist, yet it was not prevalent to any considerable extent. He added, that on Sundays the churches were crowded with persons of all ranks, and that on week-days numbers were found assisting at the holy sacrifice of the mass.* His testimony on this point is also confirmed by Dr. Hurter.

After noticing the unseemly noise and tumult, which he witnessed in the cathedral of St. Stephen's at the pontifical high mass on the feast of the Assumption, and also the little devotion he saw displayed at a particular procession at which he assisted, this enlightened observer remarks :

"We should err, were we to draw any general inference from these two circumstances. I have in other churches and on other occasions beheld more pleasing scenes. Thus in the passage through the monastery of St. Michael's, leading from the Brenner-strasse to the Tower, there is a Mount of Olives. *I mostly saw the passers-by doff their hats before the image of Christ. In other churches, even at the low masses, I have observed the greatest quiet and devotion prevail among the congregation.* When, in reference to the disorder which prevails in the cathedral of St. Stephen's, I expressed myself in pretty sharp terms to some of my acquaintances, they replied, that in other churches I should most certainly have witnessed the reverse. That disturbance during high-mass, they said, was unfortunately an old evil, inherent, as it were, in the cathedral, and which was always worse when the archbishop officiated."—*Excursion to Vienna*, vol. i. p. 285.

* To the piety of the Austrian soldiers stationed in Italy, the Countess de Granville, in her delightful work entitled "*Souvenirs de Voyage*," bears the following remarkable testimony:—"The Austrian soldiers possess a faith and a piety that do not belong to our time. If a regiment remains twenty-four hours at Rome, all are sure to communicate at St. Peter's. Many water with their tears the hand of the priest who administers to them the sacred host. A penitentiary observed to me: 'Count Apponi finds scarcely matter for their absolution.'—" *Souvenirs de Voyage*," vol. ii. p. 51, Paris, 1836. As we have no reason to believe that the Austrian regiments stationed in Italy are better than those quartered in other portions of the empire, what a high idea doth this picture give us of the morality and piety of the Austrian army, and of the people out of which it has been recruited! Another circumstance strongly indicative of the piety of the Austrians, is the liberality with which they have contributed to the support of the Catholic missions in North America. The Leopoldine institute, established for this purpose, has, as we are assured by Dr. Hurter, obtained within the last two or three years no less a sum than three hundred thousand florins, or twenty-five thousand pounds sterling. And if the Austrian Government, as is hoped, will permit its subjects to forward their contributions to the Lyons' Association for the propagation of the faith, that excellent institution may then reckon on a considerable augmentation in its funds.

The Austrian government has recently published some valuable statistical documents with reference to the population of the empire. These details embrace all its provinces, except Hungary, Transylvania, and the military frontier-districts. From these it appears that out of the population of the whole Austrian empire (with the exception of the above-named provinces) there were in the year 1836, 812,845 persons born. Out of this number there were 733,826 legitimate births, and 79,019 illegitimate.

“This proportion of the legitimate to the illegitimate births,” says the *Conversations-Lexicon* for 1840, “does not appear unfavourable, when we take into view the dense population of the provinces, and the number of cities of great and middle dimension; for, in twenty-one births, there are on an average nineteen legitimate, and two illegitimate.”—vol. iii. p. 1074.

It will be seen by this statistical estimate, that in the Austrian empire the proportion of natural children is much greater than in Rhenish Prussia. Yet we must remember that the latter has but one city, Cologne, whose population, amounting to sixty-five thousand souls, can place it among cities of the first rank, whereas Austria (even excepting the above-named provinces), numbers, with its capital, six cities whose population equals or exceeds that of Cologne. Thus Vienna contains 350,000 souls; Prague, 107,353; Milan, 143,500; Venice, 97,156; Trieste, 70,208; and Lemberg (in Gallicia), 54,965 souls.

If the state of religion and morality at Vienna be not as satisfactory as we could wish, we must remember that even Austria—pacific Austria—has undergone a religious revolution, whose effects are still deeply felt, and nowhere more so than in her capital. Even in the last years of Maria Theresa, the Church was found in a very critical position. A spirit of distrust and hostility towards the holy see began to display itself in the acts of the government: by the institution of the *Placet*, dangerous encroachments were made on papal and episcopal authority; and the suppression of the order of the Jesuits was attended in Austria with more disastrous consequences than in any other Catholic country, France perhaps excepted. In the room of these exemplary, learned, and zealous defenders of the Church, the instruction of youth and the ministry of the word devolved on men imbued with the schismatical and then recently promulgated doctrines of Febronius: and before the accession of Joseph II to the imperial throne, a strong Jansenistical party, according to the

observation of the Protestant historian Ranke,* had already grown up at Vienna. It is needless to recapitulate all the absurd and atrocious ordinances of the last-named sovereign. The suppression of almost all the religious orders,—the most arbitrary infringement on episcopal rights,—the all but total interruption of communication with the holy see,—the most puerile as well as insolent alterations of the Catholic liturgy,—the appointment of Jansenists and Febronians to places of dignity in the Church and the university,—the encouragement given to irreligious productions,—all clearly revealed the emperor's design to accomplish the enslavement and ultimate destruction of the Church. The venerable pontiff, Pius VI, crosses the Alps to avert the ruin that threatens the Catholic cause in Austria. His paternal remonstrances, backed by the combined weight of authority, wisdom, and virtue, make a momentary impression on the deluded and frivolous monarch. But no sooner has the pope returned to his dominions, than the emperor resumes his work of destruction with redoubled zeal. Austria is on the brink of a schism, when the sudden death of Joseph II delivers the Church and the empire from incalculable evils.

The emperor Leopold, witnessing in the French revolution the bitter fruits of that false political economy, and of those Jansenistical innovations in the Church, which, in Tuscany, he had so zealously encouraged, pursued, on ascending the imperial throne, a more moderate policy. During his short reign, he repaired some of the mischief wrought by his giddy predecessor. But it was reserved for the excellent emperor Francis II to modify the infatuated policy of Joseph, and to rescue the Church of Austria from the perilous position in which she had been placed. With the circumspect and almost timorous caution peculiar to the house of Habsburg, this emperor did not venture on an open and formal revocation of the obnoxious edicts of Joseph, but endeavoured to soften, and on many points to prevent, their execution. He appointed pious and learned churchmen to the episcopal office, and other ecclesiastical dignities; removed from the universities the jansenistical and irreligious professors, and instituted men of orthodoxy in their room; restored many of the suppressed monasteries, and relaxed the oppressive regulations which had been made in regard to all religious establishments; prohibited with the most severe

* See "Die Geschichte der Römischen Päpste," tom. iii.

vigilance the irreligious productions of the press; and in his last years, after having withdrawn the jansenistical works on canon law, which had long perverted the minds of the academic youth, was meditating a concordat with the pope, whereby the irreligious legislation of Joseph II was to be cancelled, when death surprised him in the generous design. During his reign, popular education, which in Austria is so excellent, and so widely diffused, was placed in closer connexion with the Church; the gymnasia or public schools for the higher classes were mostly entrusted to the direction of the learned and pious congregations of the Piarists and the Redemptorists; the splendid abbeys* of the restored Benedictines became once more the abodes of piety and erudition, and by the excellent scholars they trained, and the valuable works they published, maintained unimpaired their ancient reputation; while in the Slavonian, and more recently in the German provinces of the empire, the Jesuits have opened schools, and undertaken the duties of the ministry, where, so signally hath Providence blessed their labours, that (according to the public journals), in the space of a few years, they have converted to the Catholic faith no fewer than thirty thousand souls. Yet these various measures in favour of religion, which have mostly been taken since the peace of 1814, were adopted only by degrees, and with extreme circumspection. The tyrannical legislation of Joseph II, as we have seen, has not been cancelled; its iron grasp is still oppressively felt in many departments of ecclesiastical administration; and the religious indifference of many among the upper classes of society, and the unsoundness of doctrine and moral laxity of not a few in the clerical order, attest the influence of the anterior epoch of disorder. The Austrian clergy has not, like the French, been subjected to the fiery ordeal of persecution. The wind-storm which the Lord let loose upon France, sifted the chaff from the wheat; and all those impure Jansenistical and anti-papal

* Dr. Hurter gives an extremely interesting account of the Benedictine and Augustinian monasteries in Austria. After describing the splendid collections of natural history, the superb galleries of paintings, and the extensive and magnificent libraries which they contain, he observes:—"In none of these establishments doth the learned apparatus merely exist for the sake of ostentation; but in each, men are found alike desirous and capable of turning it to advantage. Hence it follows, that the stock of books doth not close with a particular period, but constantly keeps pace with the current literature; and that every one of those orders can show men who have acquired merit and reputation by their scientific labours."—vol. ii. p. 38-9.

doctrines, which, like parasitical plants, had in the last century wound round the venerable trunk of the Gallican Church,—all those examples of worldly-minded ambition and frivolous dissipation, which, like noxious insects, here and there blighted its foliage, were brushed away, torn, and scattered by the breath of the tempest. Hence, the French priesthood, as far as zeal, piety, and purity of conduct are concerned, may be held up as a pattern of imitation; and even in respect to science, when we consider all the disadvantages, difficulties, and embarrassments which it has to encounter, it has made astonishing progress. On the other hand, while this course of purification was going on in the Church of France, the Austrian clergy was for a long while, and to a considerable extent, imbued with the doctrines of Febronianism, and the principles of neology, exposed to the seductions of court influence, and hampered in the exercise of its ministry by a civil legislation, that checked an active, energetic zeal, imposed a burdensome routine of minute, formal regulations, enervated episcopal authority, and evinced an unworthy, ungenerous distrust and fear of the holy see. Thus the Austrian censorship, while it proscribes irreligious works, puts under its ban likewise books, whose orthodoxy cannot harmonize with the spirit of Josephism. Haller's excellent and celebrated work, *The Regeneration of Political Science*, because it contained some just strictures on the despotic ordinances of Joseph, was in 1816 forbidden to be published. Professor Walter's admirable *Manual of Canon Law*, because it fearlessly upholds the spiritual independence of the Church, and the prerogatives of the Holy See in their full integrity, is, though permitted by the police to be privately sold, not allowed to be publicly advertised for sale, or exposed at the shop windows; and when used as a text-book in the Universities, must undergo certain corrections and modifications suited to the genius of the prevailing legislation. From the same cause, the celebrated work, *Du Pape*, by Count Maistre, was in 1820 proscribed.

On the whole, there can be no doubt, that with the enjoyment of more freedom, the Austrian Church would soon accomplish its self-renovation, and aid that religious reaction, which, though less intense in Austria than in some other Catholic countries, is yet very strong. Thanks to the better policy of the late emperor and his successor, to the strenuous exertions of an excellent episcopal body,* and to the zealous

* Möhler, the celebrated theologian of Munich, says,—“ In Austria, the em-

co-operation of many among the secular and regular clergy, much has been achieved, and more may be yet expected for the moral regeneration of the empire. On this subject we may appeal to the testimony of Dr. Hurter, who expresses himself in the following noble Catholic spirit.

"Although," says he, "theology and canon law be still made subservient to the Josephist system ; although in the visitation of ecclesiastics, enquiry as to the punctual fulfilment of formal mechanical writings mostly consumes the time, which should be devoted to more important questions ; although, perhaps, many churchmen have not as yet been able to acquire a clear conception of the true position which the Catholic Church should occupy in a Catholic state ;—yet the ordinances of the emperor Joseph are now far from being enforced to their full extent ; and, in many respects, a more equitable practice has prevailed. It is even asserted that death surprised the late emperor, while engaged in a project for revoking many of the obnoxious edicts of his predecessor.

"Meanwhile the event of the 20th November 1837,* has had its influence even on Austria. It has been to many an awakening call ; and not a few, who seemed to slumber in apathy and lethargy, have aroused themselves, and returned to vital consciousness. Ecclesiastics, who had appeared almost to have forgotten that they were placed under a bishop, have sought him out again, acknowledged in him their superior, to whom they must have recourse for counsel, and, in cases of doubt, for solution of difficulties. Indifferentism, which so many confound with toleration, is here gradually losing ground ; and many young clergymen, we have been assured, are by degrees embracing a course, the return to which would, fifty years ago, have been numbered among impossibilities."—*Excursion to Vienna*, vol. ii. p. 210-11.

Of the Austrian clergy, our enlightened Protestant countryman Mr. Turnbull, thus speaks :—

"Selfishness, pride, and human frailty, may naturally be found in the Austrian priesthood also, as in every great corporation of men ; but, taken as a body, this clergy, in my opinion, are useful and active, estimable and esteemed."—*Social and Political Condition of Austria*, c. iv. p. 87.

II. We have now come to the second division of our article, wherein we propose to speak of the intellectual condition of Catholic Germany. We shall commence with Austria and conclude with Bavaria.

peror possesses the right of nomination, and yet we know that an excellent episcopal body exists in that country."—Möhler's Aufsätze, vol. i. p. 110.

* The imprisonment of the archbishop of Cologne.

In his biography of Schlegel, Mr. Robertson thus vindicates the Austrians from the charges of dulness and ignorance, at times so absurdly brought against them in this country:—

“Without pretending,” says he, “to any personal knowledge of that country, there are, however, a certain number of admitted and well-attested facts, which prove that however inferior in mental cultivation Austria may be to some other states of Catholic, as well as Protestant, Germany, she yet holds a distinguished place in literature and science. The very general diffusion of popular education in that country—the great success with which all the arts and sciences connected with industry are cultivated—the admirable organization of its medical board—the distinguished physicians, theoretical as well as practical, whom it has produced—the great attention bestowed on strategy and the sciences subservient to it—the excellence to which the histrionic art has there attained—the universal passion for music, and the unrivalled degree of perfection the art has there reached—the acknowledged superiority of the Quarterly Review of Vienna (the *Wiener Jahrbücher*)—lastly, the favour, countenance, and encouragement extended by the Austrian public to the oral lectures and published writings of the eminent literary characters, whether natives or foreigners, who for the last thirty years have thrown such a glory over their capital—all these incontrovertible facts, I say, prove this people to have reached an advanced stage of intellectual refinement. So far from finding among the Viennese that Boeotian dulness, of which we sometimes hear them accused, A. W. Schlegel (and his testimony is impartial, for he is neither a native nor resident of Austria) confesses that he discovered in them great aptness of intelligence, a keen relish for the beauties of poetry, and much of the vivacity of the southern temperament.”*

This vindication of the Austrians, by the above-named Catholic writer, is corroborated in every point by the concurrent testimony of distinguished Protestant travellers; and as we understand that in his book on Styria, which we have not yet perused, that very dogmatical personage, Captain Basil Hall, has repeated against Austria the accusation of ignorance, we deem it just and expedient to adduce their evidence.

So far back as the year 1793, the illustrious Protestant historian of Switzerland, John von Müller, after having made a tour through the archduchy of Austria, writes thus to a friend: “I know no country where *the degree of enlightenment*

* See Memoir of Frederick von Schlegel, prefixed to his “Philosophy of History,” p. 38; London, 1835.

among the peasantry, where the civilization, the prosperity, the joviality of character, have pleased me so much as in this, and have appeared so exactly what it ought to be. Observe, I speak of the archduchy; the other provinces I will see by degrees.”*

“It has been the fate of Austria hitherto,” says the intelligent author of the *Hand-Book for Travellers in Southern Germany*, “to have been described almost exclusively by travellers, who have taken a prejudiced and one-sided view of her government and institutions, and who have not even done justice to the beauties of the country, the flourishing condition of her manufactures, the bravery and loyal spirit of her inhabitants, and the happy condition of the majority of the population. In stigmatizing the government as the most tyrannical of despotisms, they have overlooked the fact, that the subjects living under it, especially the lower orders, are the most contented and joyous in Europe, because actually the best off in worldly matters, the least taxed or oppressed by fiscal burthens of any kind. They have represented Austria as a land of darkness and ignorance, as the Bœotia of Europe, forgetting that education is more widely extended among the common people than in any other country of Europe, except Prussia, and this entirely by the government itself; for the Austrian rulers turned their attention to this subject earlier than those of most other countries, and have been ceaselessly employed for the last century in establishing schools in every part of their dominions. The Englishman may learn with surprise, and no little shame, that the number of persons who can read, write, and understand the elements of arithmetic, is beyond comparison greater in the hereditary states of Austria, than in his own enlightened country, or in France.”—p. 114.

This testimony as to popular education in Austria, is confirmed by the declaration of a writer who has bestowed considerable attention on the subject; and who has recently written a work on the state of the elementary and higher schools in Austria and Bohemia.

“The Austrian system of popular education,” says Dr. Kröger, the Protestant catechist of a public gymnasium in Hamburg, “has reached a high pitch of excellence, and contains many admirable elements, whereof the exact use cannot fail to accomplish the object intended, and admits of a further development.”†

Dr. Hurter also bears witness to the excellent organization

* See vol. v. of Müller's works, p. 436. Letter, dated Vienna, 13th September 1793.

† *Reise nach Böhmen und Oestreich, in besondere beziehung auf das niedere und höhere Unterrichts-wesen*, vol. ii. p. 193; 1840.

of the popular schools in Austria. He observes that the ordinances relative to the institution of schools, attendance of the children, and the subjects of instruction, are ample enough without trenching on the rights and conveniences of domestic life, whereby they are converted into instruments of intolerable tyranny to the parents, rather than of benefit to the children.*

If popular education in Austria is constituted on such an excellent basis, and is so widely diffused, the technical and mechanical schools which are established in all the great cities of the empire, and are designed for the instruction of those destined for trades, manufactures, and commerce, are equally deserving of admiration.

"From its peculiar bent to the useful and the practical," says Dr. Kröger, "the Austrian government has encouraged, cherished, and protected, with marked predilection, these technical schools; so that it would not be easy to find in any other country more magnificent establishments, and a more systematic education for this purpose."†

After stating that in a higher sort of these schools, called by the Germans *Real-schulen*, instruction is given in commercial science, in the laws of exchange, in book-keeping, in the history of art, in chemistry, in languages, according to the future destination of the pupils, Dr. Hurter justly observes:—

"It is certainly to these mostly very well-conducted establishments we must ascribe the fact, that in Austria arts, manufactures, trades, and whatever may be enumerated under this head, have attained to so high a pitch of perfection, and that able men are to be found in every branch of productive skill. The articles that issue from the workshops of the higher manufacturers combine utility with the utmost finish of execution, in a degree not anywhere surpassed. We need only look at the greater or smaller expositions of provincial industry; we need only cast a glance at the warehouses of the drapers, who sell more particularly native stuffs; or at the splendid shops of the silversmiths, jewellers, watchmakers, and the like, to convince ourselves of the truth of this assertion."—*Excursion to Vienna*, vol. ii. p. 48.

The gymnasia, or public grammar academies of Austria, have not arrived at the same degree of excellence as the elementary, commercial, and mechanical schools. The same laudable attention, indeed, as Dr. Hurter testifies, is paid in all these establishments to religious education and the exercise

* Excursion to Vienna, vol. ii. p. 41.

† Reise nach Oestreich und Böhmen, vol. ii.

of piety; the moral conduct of the students is superintended with the utmost vigilance; but too much time is allotted to recreation,* and some important parts of classical instruction are not adequately encouraged. Thus in the second class of humanities, if the student, who must at least be eighteen years of age, be required to devote ten hours a week to the study of Latin, he is not obliged to give more than *two* to that of Greek; a time evidently insufficient for the acquisition of that very difficult language. The Austrian gymnasias seem to have fallen into an error the reverse of the Prussian. In the latter the minds of the pupils are overloaded; an adequate scope is not afforded to the free exercise of the mental powers, nor sufficient time allotted for bodily recreation.† But in the former the indolence and carelessness

* In these gymnasias there are but two hours in the forenoon, and two hours in the afternoon, devoted to instruction. The whole of Thursday and the half of Tuesday in every week are holidays. The long vacation extends from 1st September to 3d November.

† It is really frightful to see the number and variety of subjects in which a Prussian student is examined prior to leaving the gymnasium, and to his matriculation in the University. The pupil, who is generally from nineteen to twenty years of age, has to undergo before the commissioners an examination that frequently lasts three whole days. He has, within a given number of hours, in the presence of the commissioners, to write two rhetorical essays in German and Latin, as also exercises in the French and Greek languages. He is then expected to translate at sight any passages given him in Cicero's *Treatise de Oratore*, and in one or more of his orations, in Virgil, in Horace's odes, and the *Agricola* or *Germania* of Tacitus. In Greek,—Homer's *Iliad*, Herodotus, some of Demosthenes' orations, one or two tragedies of a Greek dramatist, the Greek metrical system, and one of the easier treatises of Plato are the subjects of examination. Logic,—a summary history of philosophy, an analysis of the more celebrated metaphysical systems; mathematics,—including algebra, geometry, conic sections, and the differential calculus, natural history and mechanics, form successively the subjects of examination. Questions out of ancient and modern geography, ancient history, the history of the middle age and modern times, according to the compilations used in the schools, are then proposed to the pupil. Lastly, he is then questioned in religion, according to a larger philosophic catechism, and in Biblical history and Church history, according to the manuals in use. If he be designed for the Church, or intend to prosecute philosophy as a study, he is expected to know Hebrew grammar, and to be able to translate one chapter of Genesis from the original.

What will be the fruits of this system of education, which was first established in the Prussian dominions in the year 1819, time alone will be able to show. In the meantime, it may not be improper to observe that all the great writers and scholars, philosophers and naturalists of Germany were brought up under a less artificial system of education. Many distinguished German professors, and among others the celebrated Niebuhr, deprecated this system as alike injurious to a favourable development of the bodily and mental powers of the pupil. The Prussian government, yielding somewhat to their remonstrances, has, without revoking the ordinance of 1819, so far modified its workings, as to leave to the choice of the pupil in the higher classes, whether he will make the classics, or the mathematics and the physical sciences, the principal subject

inherent in youth are not sufficiently guarded against, and too great freedom is accorded to the natural inclination and taste of the pupil. The Bavarian public schools seem to have hit upon the happy medium between the remissness of the Austrian and the excessive severity of the Prussian method of instruction.*

The Austrian universities have a character quite distinct from those of the rest of Germany, and are alike devoid of many of their excellencies and exempt from their defects. In respect to academic discipline they have a decided superiority over the sister institutions in the other German states. In all of them duelling is a thing unknown. The Burschenschaft, the Tugend-Bund, and other secret societies of students, with their long beards, their fantastic dresses, their renowning, and the like, are equally unheard of; nor have the Austrian students ever been engaged in those political conspiracies, and revolutionary plots, wherein students of other German universities have often been deeply implicated.†

In regard to instruction the university of Vienna still asserts its ancient reputation in the faculty of medicine, in the exact sciences, and in the technical arts.‡ From all parts of Germany students flock to Vienna, to avail themselves of the excellent medical instruction and medical establishments to be found in that capital. The technical instruction imparted in the mechanics' schools is here completed, and with what degree of success Hurter has already told us. The exact sciences are so well taught in the University, in the Polytechnic Institution, and in the Academy of Engineers, at Vienna, that Austria is now allowed to possess the most efficient and best informed corps of artillery officers, and civil and military engineers, in all Europe.§

of pursuit; and to subject him accordingly to a less strict examination in that study which he has made subordinate. It was high time, indeed, to make some such change, when parents complained that their children became sometimes, from excessive study, hypochondriacs at fourteen; when an instance occurred of a youth having never once gone to bed for the whole month prior to his examination; and when, as a German gentleman has assured us, his own son, and other youths with whom he was acquainted, in the last year of their gymnasial studies, seldom could retire to rest before twelve or one o'clock, and then were compelled to rise at five in the morning. The system is yet much too harsh; and further relaxations are expected.

* Mr. Wyse, late member for Waterford, a high authority in matters of education, after a careful investigation of the Prussian and Bavarian gymnasia, gives, we understand, the preference to the latter.

† See "Hurter," vol. ii. p. 57.

‡ "The University of Vienna," says the Hand-book, "is celebrated over the Continent, as a school of medicine."—p. 151.

§ Of the academy of engineers, where history, the classical and modern lan-

The Austrian universities are not, however, as favourable to the promotion of the moral as of the physical and mathematical sciences. History is sadly neglected, the lectures seldom extending beyond the Christian era; and yet, as Hurter observes, no people has less reason to dread the voice of history than the Austrian nation.* Philosophy, also, does not meet with becoming encouragement; though the writings of the great Catholic philosophers, F. Schlegel, Gunther, and Papst, have done much to arouse the attention of the Austrian public to high speculative enquiry. Theology cannot be expounded in any other but the Latin language; a rule which is attended with two very great disadvantages. First, it disaccustoms the student to the treatment of theological subjects in his mother tongue; whereby his later exertions for the defence and promulgation of the truth, from the pulpit and by the press, are of course rendered less efficient. Secondly, a dead language tends to cramp genius in the expression of its feelings and ideas; and the Latin, in particular, is not a favourable instrument for the transmission of philosophic truths. So sensible were the ancient schoolmen of this fact, that they were compelled to recast the Latin language to render it a fitting medium of philosophy. And it would be a task of enormous difficulty, not to say impossibility, to propound and enforce the doctrines, or combat the errors, of the various modern metaphysical systems of Germany in the old classical Latin. How much, for example, would Professor Klee's admirable compendium of dogmatic theology have lost, had it been written in Latin instead of German! Hence this confined method, as well as the comparative neglect of philosophic studies, renders the Austrian school of theology inferior to the Swabian, the Rhenish, and the Bavarian. But Austria possesses excellent divines, who have treated with signal success the various departments of moral and dogmatic theology, biblical exegesis, ecclesiastical history, and canon law. And we have reason to know that the number of distinguished professors in the sacred as well as profane sciences, is greater in that country than the works which issue from the press would lead us to conclude.

guages, are as well taught as the military sciences, Hurter says,—“Whether we consider the efforts made to give to the pupils the highest degree of mental culture, or the excellent measures taken for preserving morality and order, we may convince ourselves from a perusal of the prospectus of the constitution of this imperial academy, that it leaves in either respect nothing to be desired.”—*Excursion to Vienna*, vol. i. p. 271.

* See “Hurter,” vol. ii. p. 59.

There are two other great defects in the system and practice of the Austrian universities. In the first place, every professor is obliged to make some work approved of by the government the basis of his lectures. This restraint, however well intended, is too feeble to prevent the inculcation of false doctrines, while it checks the activity and damps the ardour of genius. Secondly, no foreigner can hold a professorial chair, nor even be admitted to a doctor's degree in these universities: a regulation as illiberal and unjust as it is unwise; and which is not only contrary to the practice prevailing in the other German states, but directly opposed to the statutes and the spirit of the old Catholic universities of the middle age.

So much for Austrian education, which we have now examined in all its degrees, from the highest to the lowest. The importance of the subject, and the prejudices which we had to remove, have occasioned our remarks to swell to a greater length than we had designed. It now remains for us to speak of the state of literature, science, and art, in the German provinces of this great empire.

Of the capital the author of the *Handbook* thus expresses himself:—

“These,” says he, “who have heard Austria described as the Bœotia of Europe, will be surprised to learn that it contains a numerous literary society, boasting the distinguished names of Von Hammer (now Baron Purgstall), the orientalist and historian; Grillparzer, the dramatist; Mailath, the historian; Caroline Pichler, the novelist; Deinhardstein, Zedlitz, and other poets; Littrow, the astronomer; Mohs, the mineralogist; Balbi, the statist; and Jaquin, the botanist; together with many others sufficiently numerous to give a tone to the higher circles of society. The upper classes, indeed, are eminently accomplished; French, English, and Italian are so commonly spoken as almost to supersede the native German; which, by the way, is at Vienna a very barbarous patois.*

“In the patronage bestowed upon art and science by persons of rank and wealth, from the emperor downwards, and in the number of galleries and collections, public and private, Vienna yields to no capital in Europe.”—*Hand-Book*, p. 134-5.

As far back as the year 1802, the rationalist Gerning, in his travels through Austria, remarked, that since the time of

* In confirmation of this writer's assertion, a Belgian nobleman, who has passed many years in Austria, has assured us, that at Vienna you frequently meet with ladies speaking two or three languages with the greatest fluency and elegance, and at the same time highly accomplished in music and drawing.

Joseph the arts and sciences flourish in Vienna.* Schneller, a writer of the same stamp, in his *History of Austria*, speaking of the state of that country since the peace of 1814, observes:—

“That the sciences have there received, by means of large collections and institutions of various kinds, great development. In Styria, they were indebted to the Archduke John for the rich Johanneum at Grätz, and to the emperor for the restoration of the ancient university; yet were they much impeded in the freedom of their progress, as the censorship restricted the circulation of many books, and interdicted wholly or in part the printing of learned works, so that many an excellent writer would not submit to the mutilation or disfigurement of his productions. *Yet many excellent writings appeared.*” He adds:—“the liberal sciences remained stationary;† though the exact sciences were cultivated with great success.”‡

The *Conversations-Lexicon*, after complaining of the continued severity of the Austrian Censorship, confesses,—

“That the greater the encouragement given by the government to mediocrity, and the greater its efforts to maintain an intellectual prohibitive system in Austria, the more deserving of our esteem is the continued progress of mental culture among the better classes of the population, who, in despite of all this literary blockading, *know how to obtain, and turn to account, all the valuable productions of science.*”—Vol. iii. p. 1094, *Conversations-Lexicon* for 1840.

The passage last-cited leads us to say a few words on the Austrian censorship. The German diet recommended that only newspapers and small pamphlets should be subjected to the censorship, and that larger works should be exempted from its control. This distinction is practically enforced in the states of Hesse-Darmstadt, Baden, Wurtemberg, and Bavaria. In Prussia and Austria all productions of the press, of whatever kind, size, or form, must be submitted to the censorship. It is said to be the intention of the new king of Prussia to accord greater freedom to the periodical press, and to emancipate works of learning and science from the control of the censor. In Austria the censorship is peculiarly rigid; and, as we had before occasion to observe, exerts a prejudicial influence on Catholic literature. While in Prussia the im-

* Reise durch Oestrich und Italien, von J. Gerning, part i. p. 79.

† This is a gross exaggeration.

‡ Geschichte von Oestrich und Steiermark von Schneller, vol. iv. p. 118-20; Dresden, 1828.

primatur of the censor is necessary only to the publication, and not to the printing, of the work, in Austria the manuscript must be first submitted to his inspection; and the consequences of the latter regulation are a delay and inconvenience three times greater than in the former case. The manuscript of the unfortunate author, as we have been informed from a credible source, is sometimes retained a year or eighteen months in the bureau of the censor; a delay that must in many cases weaken and impair the freshness of his allusions, and the point of his observations. Disgusted and discouraged by this state of things, literary men, that would have conferred honour and advantage on their country, have remained either silent or relaxed their exertions.

In respect to the daily press, Hurter observes that the rigour of the Austrian censorship has been much exaggerated. It is only the most violent revolutionary journals of foreign countries that are prohibited.* The *Allgemeine Zeitung*, which contains the *pro* and the *contra* on all the political questions of the day, enjoys the widest and most unlimited circulation in Austria.

The liberty of the press, when not subjected to those restrictions which the majesty of religion,† moral decorum, social order, domestic peace, and private honour imperiously demand, becomes the most deadly corrosive of society that it is possible to imagine. But, on the other hand, we must regret that Austria, distrusting the energies of the human mind itself, should show so little confidence in the power of truth; and instead of looking to the Church for the best safeguard against erroneous doctrines, should so much trust to the efficacy of mere physical restraints.

In the arts, Austria is allowed by common consent to have attained a high eminence. At the commencement of the century, Gerning writes, "that for several decads past there had sprung up in Austria many excellent institutions of instruction in the imitative arts, and that these continued to flourish ever more and more."‡ The *Conversations-Lexicon*, for the present year, observes:—

* The "Edinburgh Review" once asserted that it was proscribed by the Austrian government. This assertion Mr. Hawkins, in his work on Germany, pleasantly enough refutes, by saying, that the very number wherein that passage was contained, he read in the Commercial Coffee-house of Vienna.

† This expression is here used without prejudice to the freedom of fair and decent controversy in religious matters, in those countries where different religious creeds prevail.

‡ Reise durch Oestrich und Italien, part i. p. 98.

"That if science in Austria be cherished but with a step-dame care, art on the other hand receives the most liberal encouragement; and if the revenues of the state have not been employed, yet the privy purse of several members of the Imperial family, the impulse which their example has communicated to the wealthy nobility, and the efforts of private associations for the promotion of music, painting, and sculpture, have called into existence many a treasure of art, and furnished to many a talent the opportunities of education and exercise. It is only in monumental architecture that little has been achieved, for, in recent times, Vienna, to say nothing of the provincial cities, has (excepting the Tower-gate), nothing to show that can compare with the public edifices of Munich, and even of Berlin."—Vol. iii. p. 1094.

To the character of the Vienna stage Dr. Hurter bears the following honourable testimony :—

"The Burg theatre," says he, "is perhaps the most perfect stage in Germany. . . . The German language is here spoken with an elegance, such as perhaps is only to be found in the most refined circles of Dresden. It is only in this theatre we can learn to know what the stage is competent to effect, and in the exquisite enjoyment of art, the recollection that we are in a theatre totally vanishes. The action passes before our eyes with the most complete reality."—Vol. ii. p. 75-6.

Such are the excellencies and the defects in the state of Austrian education, science and art, according to the evidence of writers whose judgment neither national feelings nor religious and political principles could bias in favour of Austria. Whether that country be the *Bœotia* which the acute optics of Mr. Russell discovered fifteen years ago, in the heart of Germany, we now leave it to our readers to decide.

It was our intention, as order required, to insert here an account of the state of education, science, and art, in Rhenish Prussia, Westphalia, and the Catholic parts of Hesse-Darmstadt, Baden, and Wurtemberg; but the space which the intellectual condition of Austria has occupied in these pages, compels us to defer to another opportunity this portion of our subject.

We now come to speak of the state of education, science, and art in Bavaria; a country which in intellectual cultivation yields to no other in Germany.

In the great Catholic regeneration, which began in Germany in the middle of the sixteenth century, Bavaria took an honourable part. The Jesuits, who were so instrumental in checking the progress of the Reformation in southern Ger-

many, found here the warmest protection and encouragement. But the miseries, devastations, and bloodshed, which in the thirty years' war overwhelmed Bavaria, threw her, like the rest of Germany, into a state of mental and physical exhaustion: while the dread of the Protestant doctrines, that so much infected the German literature, induced her princes, unwisely, to neglect the encouragement of letters. It was not till about the middle of the eighteenth century that the elector Maximilian, by the establishment of the academy of sciences, by the patronage he gave to men of learning, native and foreign, and by promoting the cultivation of the vernacular tongue, succeeded in rousing the Bavarian mind from its long lethargy. But as a beautiful flower will often contain in its chalice a corrosive insect, so the enlightenment of the eighteenth century was too frequently marred and vitiated by some noxious accompaniment or ingredient. This intellectual movement took, in some respects, a false direction; the illustrious society that, more than any other, would have rendered it safe and beneficial, had just been suppressed. On its ruins the destructive order of the *Illuminés* was founded, whose object it was to diffuse the lurid lights of irreligion and insubordination. This revolutionary society was suppressed by the energy of the elector Carl Theodore; but its principles, often germinating in secret, openly burst forth in the reign of his successor, the late king Maximilian, by whose more than passive acquiescence they obtained a sort of partial triumph. In the person of Count Mongelas, minister to King Maximilian, the revolutionary and irreligious party in Bavaria found an adept, capable of carrying out their designs with more success, because with more reserve and circumspection. It was the aim of this minister to cast the ecclesiastical and political institutions of Bavaria entirely on the model of revolutionary France. In pursuance of this plan the monasteries of both sexes throughout the country were suppressed; the freedom of the Church was hampered on every side with unworthy shackles; and public education, subjected to the state, was given over to the impure hands of irreligious teachers. If, like Napoleon, King Maximilian made a concordat with the Holy See, he took care, like his pattern, to tack to this concordat organic articles inconsistent with its spirit and detrimental to its efficacy.

While the Church was thus being enslaved, municipal corporations in the state were abolished, and on their ruins a system of absolute centralization established. For the loss

of such valuable municipal and ecclesiastical liberties, the minister, Mongelas, doubtless conceived that a constitution after the model of the French charter would be a sufficient compensation. And it is after such abortive attempts (good folks will wonder) that in the continental states the representative system does not work better !

Roused by these political and religious commotions, the Bavarian mind in this reign displayed great vigour and activity. In the mechanical arts many useful discoveries, and among others lithography, were made ; the academy of fine arts was instituted and encouraged, the physical sciences were carefully fostered, and schools of popular, as well as liberal, instruction multiplied and extended.

But the true period of Bavaria's intellectual regeneration dates from the accession of the present monarch to the throne. All that was false, vicious, and dangerous, in his father's policy, he has endeavoured to remove and correct ; while all that was sound and useful in it he has retained and improved. Hence, as Hurter observes, he has achieved more for art and science in the course of a few years than a whole line of Medicean princes in as many generations.

Those real ameliorations in public instruction, which under the late king had been adopted in Bavaria as well as other parts of Germany, have been completed and consolidated. The introduction of a more religious spirit into the higher and the lower schools, has also tended to give a more solid basis to all these improvements in the literary part of education. For where the culture of the *heart* is neglected, the improvement of the *mind* will advance but slowly ; and in those establishments where a religious spirit, in a greater or less degree, does not animate and sanctify the labours of teacher and pupil, we may rest assured that carelessness and cupidity on one hand, and idleness, obstinacy, and vice, on the other, will sooner or later frustrate the best concerted plan of intellectual improvement. In Maximilian's time a marked tendency towards *realism* had characterized the system of public education. This has been wisely altered ; and to the classical languages and the moral sciences their due place has been assigned ; yet without prejudice to mathematical and technical instruction, which, in all its grades, from the trades' and mechanics' schools to the university, has, according to the admission of the *Conversations Lexicon*, been, in the present reign, considerably extended and advanced.*

* " *Conversations-Lexicon*," No. 3, p. 326 ; Leipzig, 1838.

One of the best improvements in public education was, as we before observed, the rejection of the overloading system of the Prussian schools. On this subject an ordinance of the Royal Bavarian Council of Instruction, of the year 1833, very wisely observes :—

“ It cannot be too strongly impressed on the teacher, that it is not teaching much, but teaching rightly, that produces a permanent impression ; since the proverbs of the modern, and the short fables of the ancient, world, have exerted on the character and civilization of nations a far deeper influence than a multitude of folios. Fifteen or twenty rightly-understood propositions in each branch of science would instruct more, and more excite reflection, than all the diffuse show of learning—all the pomp of examinations so injurious to solid science. Here we are reminded of the golden device on the portal of the richest library in the world :—‘ Non multa, sed multum.’ ”

But one of the noblest creations of the present king's enlightened policy, has been the University of Munich ; which, transferred from Landshut to the capital, possessing about eighty professors, and usually attended by fourteen or fifteen hundred pupils, rises superior to every rival in Germany. It has been the noble pride and policy of the king to invite to this seat of the muses men of distinction in every branch of science, and from every part of Germany. Here Möhler treated dogmatic theology with that depth of reflection, extent of learning, and dignified mildness of eloquence, so peculiar to himself. Ecclesiastical history is expounded by Döllinger, with an erudition and critical acuteness that have rarely been equalled. Philology is successfully treated by Thiersch ; and in Moy the science of canon law has found a most learned and philosophic interpreter. The science of modern history is handled by Professors Philips and Höfler, with much learning, critical perspicacity, and religious feeling. The original mystic Baader, before he fell into schism, threw out a multitude of deep hints and observations in the department of speculative theology ; while in the physical sciences he has eminently contributed to bring about a Christian regeneration. The profound and comprehensive genius of Görres sheds a broad light on the labyrinths of universal history, or reveals with wonderful penetration the depths of the mystic theology. In the hands of the great Christian naturalist, Schubert, nature has become the organ of a sublime religious revelation ; while both in his physics and metaphysics, the celebrated Schelling has made considerable ap-

proximations to Catholic truth, and purified his system in part, though not entirely, of its Gnostic errors.

Such are a few of the more distinguished ornaments of this seat of science. Of late years a multitude of associations for the promotion of historical learning have been founded in the provinces of Bavaria; while in the capital the Academy of Sciences has served as the focus to combine and condense the scattered rays of provincial talent. On the whole we fully concur in the following just observations of Hurter:—

“Science,” says he, “is not less cherished and encouraged in Munich than art: it has taken a no less vigorous spring than the latter, though, from its very nature, its action is slower and less obvious to the eye. But science here follows a course akin to art, inasmuch as its efforts are directed more to building up than destroying. It is a peculiar folly to estimate the progress of science more by what it sets aside and destroys, than by what it establishes. Hence has the science of Munich been assailed from such various quarters—hence hath the rage of so many been directed against it; and where other weapons have failed, it hath been made the butt of scorn.”—*Hurter's Excursion to Vienna*, vol. ii. p. 361.

Within the last thirty years the German muse has on the whole languished; yet, in the younger Görres, Munich possesses an exquisite poet, whose efforts in the department of Christian lyric poetry surpass anything that has appeared since the time of Novalis and Frederick Schlegel. He edits, in common with his talented friend, Count Pocci, a poetical journal, called *The Religious and Secular Festive Calendar*; the object of which is to celebrate the great festivals and holy personages of the Bible and the Church, and also to sing the glorious feats of European, and more particularly German, chivalry. The poetry of the younger Görres bears a character of naïve, antique simplicity, of deep yet gentle feeling, and high devotional fervour, strongly akin to the productions of the old Low German school of painting, that are now in the Bavarian capital the objects of such intense enthusiastic worship. The last observation leads us to speak of the state of art in Munich, to which we must now devote a few cursory remarks.

The sudden, yet glorious, resurrection of Christian art from the state of inertness and degradation in which, for three centuries, it lay sunk in Germany, was not, as we may suppose, a fortuitous occurrence, nor the mere effect of princely patronage, however munificent, but the result of general and powerful causes.

On the suppression of the convents and monasteries, and

the desecration of the churches in the Rhenish provinces, by the French revolutionists, a multitude of fine old paintings, and other interesting monuments of the art and piety of former ages, which they contained, escaped the rapacity, or were overlooked by the ignorance, of these Vandals. The Canon Walraff and the two brothers Boisserée signalized at once their taste, liberality, and patriotism, by collecting and arranging these scattered relics of national art. But the laudable industry of these collectors would have been disregarded, and the merit of the works which they treasured up would have remained unappreciated, had not a school of criticism, precisely at that period, revealed the transcendent excellence of the arts and literature of the middle age, and vindicated their long-forgotten glory. This school was represented by Tieck and the Schlegels in the north of Germany, and by Görres and Brentano in the south. Frederick Schlegel was even the personal friend of Walraff and the two Boissérées; and in the arrangement of that famous gallery which the latter afterwards brought together, and which now forms one of the principal ornaments of Munich, this eminent critic was frequently consulted. While the national taste was taking this salutary direction, the religious spirit, so favourable to the development of art, was rapidly reviving. In this fortunate conjuncture, a royal Mæcenas arose to cherish the struggling infancy of German art, and warm it into a vigorous maturity. King Lewis of Bavaria already, as crown prince, had out of his privy purse constructed the Glyphtothek (or repository of sculpture), purchased for the sum of six thousand pounds sterling the statues of Egina, and encouraged and aided the efforts of some rising German artists at Rome. But it was only on his accession to the throne, in the year 1826, that this prince could give full scope to the generous inspirations of his great soul, and execute those magnificent designs he had so long entertained for the encouragement of the fine arts. His services in this respect have been justly appreciated and described by the judicious Hurter:—

“That which,” says he, “constitutes the chief distinction, we might almost say the unique honour, of king Lewis of Bavaria, is that his creative will, his high sense of art, the originality of his taste, have compassed two different objects; the one for the honour of God, the other for the ornament of the prince. Other kings have built; under the protection of other kings, the arts have met with successful encouragement; but many other sovereigns have

built for their own honour, and that of their house, unmindful of *Him* by whom kings reign, and the lords of the earth hold their power. If we look to the churches which spring up at king Lewis's bidding, we should be tempted to believe they formed the only foci, wherein all the productive energies, and all the achievements of art, and all the physical resources of the country, were concentrated. But if we traverse the halls of the royal residence, which are either complete or in the course of building, we might fancy they absorbed all attention and activity, and engrossed the unseen, as well as visible, agency of men."—*Hurter's Excursion*, vol. ii. p. 343.

In the short space of fifteen years, this monarch has constructed the Pinacothek (a stately edifice for the exhibition of the productions of the various schools of painting), a magnificent palace decorated with superb frescoes by the living artists of Munich, and four or five noble churches and basilicas, where architecture, sculpture, and "her rainbow sister," vie with each other in splendour.

In a former number of this journal,* an account was given of the rise of the modern school of German painting. It was there stated that the three founders of this school, Cornelius, Overbeck, and Veit, made a noble debut in the art, by embellishing the walls of a palace at Rome with frescoes taken from the three great Italian poets, Dante, Ariosto, and Tasso.† Of these, Veit is now the director of the academy of painting at Frankfort, and besides other remarkable works, has recently completed a noble fresco in the academy itself, representing the introduction of Christianity into Germany by the preaching of St. Boniface. Cornelius at first devoted his pencil to subjects from pagan mythology and profane history; but in latter years, having consecrated his genius to higher themes, he has produced a vast and sublime work, "The Last Judgment," which, in the opinion of competent critics, rivals the great production of Michael Angelo himself. This gigantic fresco forms the high-altar piece to the new church of St. Lewis. Overbeck, the most profound Christian painter of the age, resides habitually at Rome; but his productions are found in various parts of Germany, and

* See No. XI. art. "Rio on Christian Art."

† When this noble triad began the work of the regeneration of modern painting, the art of fresco was completely forgotten in Italy. It was a common journeyman mason, who, in the last century, had been in the employ of Mengs during his stay in Sicily, that from recollection was enabled to direct in some degree these artists how to set about the work. This account we received from the lips of M. Veit himself.

his spirit pervades and imbues the minds of many of the Munich artists. As the want of space forbids us at present to dilate on his merits, we beg leave to refer our readers to the account given of him in the above-quoted number of this journal. Henry Hess is an artist of transcendent merit, who was commissioned by the king of Bavaria to decorate the roof and walls of the new royal church of "All Saints" with a grand cycle of paintings, representing the three great dispensations of the Almighty to man, the Patriarchal, Mosaic, and Christian revelations.

"This chapel," says Hurter, "may be called a golden chapel, because all the principal pictures and the embellishments are cast on a ground of gold. It might be called a summary of the divine revelations—an outline of God's progressive scheme for man's redemption—a popular compendium of Catholic divinity exhibited in images. All is distributed with such propriety, and consistency of feeling, and such depth of thought, that we can follow in all its stages the march of Divine Providence for the illumination and regeneration of humanity."—*Hurter's Excursion*, vol. i. p. 349.

The same artist is now employed in executing for the Byzantine church of St. Boniface, now in course of erection, a series of cartoons delineating the apostolic labours and miracles of that saint and his companions in the conversion of Germany. The engravings of some of these cartoons we have seen, and can bear a willing testimony to the skill displayed in the management of the groups, and to the life, variety, and interest of expression in the principal figures.

Julius Schnorr and Zimmerman are artists employed by the king in adorning the walls of the new palace with frescoes, representing subjects taken partly from the old classical poetry, and partly from the *Nibelungen-lied*, and the modern German poets. Julius Schnorr has acquired great celebrity by his pictorial representations from romantic poesy and the ancient national chivalry: and, among other productions, his magnificent and gigantic fresco portraying the crusade of the emperor Barbarossa may well challenge admiration.

In the productions of all the artists we have named, the impress of the style of the old German school of painting is more or less discernible; and the money that the king of Bavaria expended in the purchase of the Boisserée gallery, has been amply repaid by the splendid works of living art, which are nearly or remotely traceable to its influence.

Among the sculptors, Schwanthaler has obtained the

greatest reputation, and has embellished many churches in the capital and the provinces with the monuments of his skill.

Among the architects, Von Klenze and Gärtner are the most celebrated in the round Byzantine style of architecture, and Ohlmüller, who is unfortunately now no more, in the pointed Gothic. The church of All Saints, of whose interior decorations we have already had occasion to speak, is the work of Von Klenze, and is executed in the round Byzantine style. The foundation-stone was laid in the year 1828: it has 165 feet in length, and 100 in breadth.

The church of St. Lewis, which was begun to be built in the year 1829, owes its plan and construction to Professor Gärtner, and will be consecrated at the close of the present year, or at the commencement of the next. This church is in the Florentine-Byzantine style of architecture,—a style that has been adopted as the one best calculated to exhibit to advantage the splendid frescoes wherewith the interior is adorned. The width of the principle façade, which, together with the towers, is constructed of massive flags of white limestone, measures one hundred and fifty feet, the length of the nave two hundred and fifty, and the height of the towers two hundred and twenty.

But the largest and most magnificent of the new churches is that of St. Boniface, which in its exterior part is now completed. The principle façade has a front screen, with eight round-arched columns. The side façades, with their double row of round-arched windows, present from their simple, beautiful proportions a most agreeable aspect to the eye. The interior is divided into a nave and four aisles by four rows of Corinthian columns, each row consisting of sixteen columns, and each column being twenty-five feet high. This church will be given up to the Benedictines, and a noble abbey, built in the true monastic style, will be annexed to it.

The new church dedicated to our Blessed Lady in the suburb Au, is the only one of the new erections in the pointed Gothic style. The architect was Ohlmüller, and the church is the first of the kind, that for upwards of a century has been constructed in Germany. It has two hundred and thirty-five feet in length, eighty-one in breadth, and is eighty-five feet high in the centre of the nave. The spire is two hundred and seventy feet in height. Our readers will perceive that this church is but a size larger than the one which the English Catholics are erecting in St. George's Fields

in London. According to Mr. Pugin's design, as seen in the engraving, the latter church will be two hundred feet in length, seventy in breadth, crowned by a magnificent steeple running up to the prodigious elevation of three hundred feet.

In the Munich church, the painted windows representing the joyous and dolorous mysteries in the life of the Blessed Virgin,—whether the design, the drawing, or the vividness and delicacy of the colours be considered,—rival, in the opinion of the best judges, the most admired specimens of the ancient cathedrals. The wood-carvings, wherewith the confessionals in the aisles, and the stalls in the chancel, are decorated, are executed with all the life and spirit of the best models of the Middle Age. This church was raised by the joint contributions of the king, and of the parish in which it is situate; and including the painted windows, it occupied in its construction and internal decoration 360 workmen uninterruptedly for eight years.

This magnificent revival of Christian art, which we have succinctly laid before our readers, could scarcely have occurred in any but a Catholic country, and one in truth that had undergone a great intellectual regeneration. It could not, for example, have taken place in Protestant Germany, where, in despite of the liberal patronage of the governments, and particularly that of Prussia, the religion hostile to all the outward symbols of devotional feeling, is fatal to the efforts of the higher art. Nor could this regeneration have so easily occurred in a Catholic country like Italy, where, in despite of the wonderful inborn talent of the inhabitants for the fine arts, the Italian mind pining under the loss of political freedom and national independence, vegetates, as it were, on the glory of former ages. And, however faithfully the great mass of the Italian nation have clung to their Church throughout the calamitous period of the last seventy years, still the religious indifference of that epoch has more or less infected many of those that exert a great influence on art. We mean the nobles and the literati; and as the malady here was less intense than in Catholic Germany, so, from the absence of great shocks, it has been more lingering and tenacious. Yet better things, we would fain believe, are reserved for Italy. The milder system of policy which Austria has of late years pursued in her Transalpine provinces,—the wise administrative improvements, and the liberal encouragement of art and science, for which the Roman states are indebted to those two very learned, pious, and enlightened pontiffs, Pope

Leo XII, and more particularly his present holiness,—the extraordinary resuscitation of zeal and piety in those parts of Italy, which had most suffered from the French invasion;* and lastly, the more masculine, as well as more religious spirit, which the illustrious Manzoni has helped to infuse into the popular literature of his country; all incline us to believe that the intellectual regeneration of that beautiful land, the home and cradle—

“Of all that Nature yields, and Art decrees,”

is not very distant. And in this glorious wake of a new-born literature, art assuredly will not be slow to follow.

In conclusion, we shall endeavour to sum up our observations on the state of religion and science in Catholic Germany. With respect to religion, the evils which oppress the Church, and impede its progress in this great country, are many and various. These are the paucity and poverty of ecclesiastics in most dioceses,—the want of seminaries in many places for the early education of the clergy,†—the arbitrary interference of the state, which in most parts hampers and annoys the episcopacy in its relations with the Holy See, and with the inferior ministry,—in many dioceses the almost total absence of religious orders, which are so necessary as well to aid the secular clergy in the work of education, and in parochial duties, as to stimulate them in the practice of the higher virtues,—the abuse of ecclesiastical patronage on the part of the Protestant governments, that nominate to the episcopal office and the prebendal dignity,

* See in Görres and Phillips's *Historico-political Journal* an interesting account of the present pious and charitable establishments in the city of Verona. We scarcely believe that any city in the Middle Age itself ever produced or revived within so short a compass of time so many and such noble institutions for the glory of God and the solace of humanity.—See “*Historisch-politische Blätter*,” vol. v. p. 590.

† When we were in Germany, we heard the clergy regret the want of these seminaries, as the nurseries of all clerical virtue; and when we were in France, we often heard ecclesiastics exclaim,—“Oh! that we had the German Universities! What a learned clerical body we should then possess! How soon would infidelity be put down!” The fact is, the seminary is useful to train to the practice of the clerical virtues, and the university to impart high theological instruction. But if two things, which should be united, must unfortunately be separated, France has doubtless chosen the better part: her seminaries,—some of which, even in a scientific point of view, have lately undergone much improvement,—have produced the exemplary clergy, who are achieving the wonders we now witness; and though she possesses no learned faculties of theology, like Germany, she yet has a sort of spiritual floating University, entitled “*L'Université Catholique*,” of which the latter country itself might be proud.

men either very advanced in age, or noted for a weak subserviency of character,—the scandalous doctrines and conduct of the neologists of Baden and Wurtemberg,—the more covert and insidious, but not less dangerous attacks directed against the Church by the Hermesian party in the dioceses of Cologne, Treves, and more particularly Breslau,—the system of public education, which, throughout Germany, is too much under the control of the state; wherein the priesthood possess not sufficient influence; wherein often religious instruction, instead of pervading the whole system, stands like a thing apart; where even sometimes the mixture of creeds, and the bad principles of teachers, tend to inoculate the minds of the pupils with religious indifference;—lastly, the intolerance of several governments, which sometimes breaks out into open and brutal violence, sometimes carries on a system of odious intrigues, and secret, vexatious, persecution against the lay as well as clerical members of the Church:—such are the evils with which religion has in this country to contend. But the prospects of Catholicism in Germany become every day brighter and more cheering. This hope of a better order of things we found on that great regeneration of religious feeling, which for the last thirty years has been steadily going on, and by the great event of the 20th November 1837, has been vastly accelerated; on the many and brilliant conversions to the Catholic Church from Protestantism during the same period; on the uncorrupted virtues and piety of the peasantry, even in those districts like Baden and Wurtemberg, where the clergy have been most unmindful of their duties; on the signal victory which, in the late contest, the cause of ecclesiastical freedom has obtained, and the important consequences to which it must lead; on the generous protection, extended to the Church by the present king of Bavaria, and on the more favourable dispositions of the court of Austria; on the reorganization of Catholic schools and universities, the revival of religious orders and confraternities in many places, and the return to long neglected practices of piety; lastly, on the ever-increasing vigour, beauty, and fecundity of the German Catholic literature, and the general temper of the population, which, spurning the miserable semi-rationalism of the Prussian Hermesians, and the scandalous heterodoxy of the Baden neologists, evinces daily with greater energy its attachment to Catholic unity.

If now we turn to the state of Catholic science in Ger-

many, we shall find that it has to struggle against many difficulties and disadvantages. 1. The vast preponderance of political power in the hands of the Protestant party naturally secures to the Protestant literature all the aids and advantages which princely patronage, wealth, and influence can afford. 2dly. Many of the universities, those great nurseries of the national literature, are either by statute or practice shut against Catholic talent; and even in the mixed universities, where a Catholic faculty of theology is established, the scarcely less important chairs of Catholic history and Catholic philosophy are either not at all, or most scandalously filled up. 3dly. The daily and periodical press, by means of an iniquitous censorship, is in most states of the confederation arrayed against the Church; and in the recent dispute which has so deeply agitated Germany, the Bavarian press alone has been permitted warmly to espouse the cause of the archbishop of Cologne and his venerable colleagues.* 4thly. The concentration of the book-trade in the very Protestant town of Leipzig, has until lately operated prejudicially to the interests of Catholic literature. 5thly. The German Protestant literature being by forty years older than the Catholic, enjoys a sort of classical celebrity, which a new and living literature, however intrinsically superior, can never pretend to. 6thly. In the mixed states, where even the Catholic population outnumbers the Protestant, the zealous Catholic seldom obtains advancement in the university, or receives a pension from the state for his literary services,—a pension which is the more necessary in a country where, owing to a defective law of copy-right, the pecuniary remunerations of genius are often very inadequate. Lastly, while the court of Berlin cherishes and promotes the interests of Protestant literature with such active zeal, Catholic literature receives but a languid encouragement from the court of Vienna. Yet in despite of all these obstacles, Catholic genius has achieved wonders. The great number of eminent theologians, who have of late years adorned the Catholic faculties,—the illustrious philosophers, historians, and other literati, who within the last forty years have devoted their

* Among the journals which have particularly distinguished themselves in defence of the archbishop, we may name the "*Franconian Courier*," edited by the able and courageous Zander. The "*Political Gazette*" of Munich, and one-half of the "*Augsburg Universal Gazette*," are organs of the Catholics. The Austrian papers have been allowed to raise only a feeble voice in defence of the archbishop.

talents to the defence and glory of the Church,—the ever-growing activity and merit of the Catholic press,—the high degree of excellence which education in all its branches has now attained in Catholic Germany,—the munificent patronage of Lewis of Bavaria, whose purse is ever ready to encourage Catholic art and science,—the more than semi-Catholic tone of a distinguished portion of the historical literature of Protestant Germany,—the growing disgust felt for the extravagant pantheism of Hegel (which still, however, exerts great influence in northern Prussia), and the craving of the German mind for more Christian systems of philosophy,—finally, the march of modern science itself, physical as well as moral, which by its extraordinary revelations has reconciled so many a rebellious spirit in France and Germany to the dogmas of the Church;—these are the symptoms and tokens of a great intellectual futurity,—the final and complete triumph of Catholicism and German science.

Since writing this article important changes have occurred, and still greater are in progress, in the Prussian monarchy. The present enlightened sovereign of that country, after the period allotted to domestic grief had passed away, applied himself to the study of the best method of realising those brilliant expectations which his friends, and the best friends of his country, had long entertained. Not only has he restored the Archbishop of Posen to his diocese, and in Silesia rescued from spoliation one hundred Catholic churches, but he has carried on negotiations with the Holy See, in regard to the Archbishop of Cologne, in a spirit which (as we have learned from a very credible source) is likely to end in propositions acceptable to the pope, and not repugnant to the feelings of the archbishop himself. Moreover, on his coronation he received the deputies of the clergy, nobility, and third estate, from Westphalia and the Rhenish province, with such kindness and cordiality as can never be effaced from the memory of the inhabitants of those provinces. The Bishop of Paderborn, a prelate who in the recent contest had defended with such zeal and courage the rights of the Church, received the monarch's assurance that care should be taken that the Catholic Church in Prussia was placed on a footing as satisfactory as it was in the most Catholic countries. And what did he say to the truckling Prince-bishop of Breslau, who so culpably neglected the care of his diocese, and while he evinced such subserviency to the late king manifested such contumacy towards the holy see?

He told him his conduct had been calculated to *bring down ruin both on Church and state*. Such is the recompense which sooner or later is sure to await a faithless pusillanimity, even on the part of those whose favour it strove to ingratiate. This prelate, threatened with deposition by the pope, has happily tendered the resignation of his see.

It is also the intention of the Prussian monarch to entrust the government of the Catholic provinces to such civil functionaries as, by their character and their principles, are likely to conciliate the affections of the inhabitants. But let it not be supposed that in these generous efforts for the emancipation of his Catholic subjects from the grasp of oppression, the king has not many difficulties to contend with. The civil functionaries, who in Prussia constitute a powerful political hierarchy—some pantheists in religion, others rationalists, the better part pietists, and the majority naturally very hostile to Catholicism—now strain every nerve to embarrass the new government, impede the execution of the royal designs, and by holding up some of the king's friends to ridicule, and others to odium, sow distrust and dissatisfaction in the public mind. These despotic bureaucrats well know that the policy of the present wise and benevolent sovereign will run directly counter to their religious prejudices and political views. We have heard, from very good authority, that it is his intention to undermine by degrees the system of administrative centralization, to give greater scope, power, and influence to the various provincial legislatures in the monarchy, and to establish on a solid basis the freedom of the Catholic Church. The king, a pietist in religion, belongs to that school of politics called, in Germany, *the corporate system*; and which shuns alike the anarchical spirit of revolutionary democracy and the centralizing spirit of military despotism.*

ART. III.—*Value of Annuities and Reversionary Payments.*

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IF a society were to establish itself with no other avowed intent than to act according to circumstances, and to do what the times would permit in furtherance of an object to

* By a letter dated Munich, the 7th of July, it is stated that the provincial council of Upper Bavaria has, according to a resolution adopted at its last meeting, proposed to the king to introduce again the order of the Jesuits. Our readers will be in no doubt as to his majesty's decision.

be explained only by a few words in its adopted name, the directors would probably be laughed at for the vagueness of their plan. But seeing that few individuals, and no company, can engage for more with any fair probability of success, such an announcement would argue both sense and knowledge of the world.

The Society for the Diffusion of Useful Knowledge started with a specific object, declared, in their first prospectus, to be "the imparting useful information to all classes of the community." What they meant by *useful** knowledge, seeing that knowledge is useful, useless, or pernicious, according as it is used, neglected, or abused, we think we can undertake to say. Those who remember the manner in which the desire to communicate information to *all* classes first began to grow, know that the formation of the Mechanics' Institute was the earliest evidence it gave of its active existence. The fierce religious feuds of the time, then, as now, made it difficult to form any association, unless it were one expressly intended to embrace, or to exclude, the great subject of controversy. But there was one doctrine which the promoters of knowledge could not avoid meeting, though that doctrine was rather on the decline, at the period of which we speak. "The diffusion of knowledge is the diffusion of irreligion and immorality," said the high-Church party, stoutly; and many even of those who wished to provide resources for the labourers' leisure, were almost afraid lest there should be some truth in the maxim. Those who had no such fear very humbly represented, in the first instance, that mere reading and writing could do no harm; afterwards, that there were surely some branches of knowledge, *useful* to the working man, which he might employ his reading upon. "There can be no harm," they said, "in the manufacturing workman knowing where cotton is grown, and how it is cultivated; and surely he would not thereby be rendered a disloyal subject, if he were permitted to read a little about that wonderful moving power, the energies of which he is directing

* A modern and unmeaning phrase: in the practical sense, all knowledge is useful to some, and useless to others; in the higher sense, all *sound* knowledge is useful. *Sound learning* is the old English phrase, and *sound* means complete in itself: in early works of geometry, a sphere is called a "round and sound" body. And it is worth the noting, in reference to some of the objections made to the Society, that though our ancestors coupled *sound learning* and *religious education*, they did not forget that the two are distinct things; nor did they affirm that those whom circumstances prevent from giving the second, were therefore to be debarred from promoting the first.

all day long." Point after point these matters were conceded, to this extent at least, that a considerable number of those who feared the diffusion of knowledge, began to admit that a little something did exist which the workman might be permitted to know. Hence came in *useful* knowledge; and the Society, which showed by its first prospectus that it intended to promulgate every knowledge except religious knowledge,* took this limitation into its name. The time was not come when it might be openly asserted that all knowledge should be put in the way of all, and every one should be invited to take all he could get. Peace to the memory of an exploded prejudice! The Society for the Promotion of Christian Knowledge is now working side by side with the Society of which we are speaking, in the diffusion of that secular learning which it once held in horror; and those who would have something to fear, have left off with knowledge, and taken up *temperance*. Yes! abstinence from whiskey has positively been denounced as the mark of a rebellious temper, and as an invention of the devil,—the very charges that were made against a desire to learn. This is not all the mere spirit of opposition to good: there is a quality of the human mind which the phrenologists ought to find a corner for—*fear of change*. A few years ago, the Government withdrew some of its offices from ———, and abandoned the vacant rooms to some public societies. Down went the old desks; the floors and walls got such a scrubbing as nothing but the march of intellect would have dared to give in a government office; and some rebellious spirits, having very much the air of journeymen carpenters, brought in new seats, tables, &c. An elderly and very respectable-looking man put his head into one of these rooms, just after the above changes had been made; and after staring fearfully wild (as a novelist would say) addressed a functionary of one of those societies, who was superintending matters, thus: "Great

* "As numerous Societies already exist for the dissemination of religious instruction, and as it is the object of this Society to aid the progress of those branches of general knowledge which can be diffused among all classes of the community, no treatise published with the sanction of the committee shall contain any matter of controversial divinity, or interfere with the principles of revealed religion."—*First Prospectus*. A very odd announcement! Try to connect the premises and the conclusion. The ill-expressed meaning is clear enough, with fair construction: but we very much wonder that some of the numerous early enemies of the Society did not insinuate that controversial divinity and *interference with revealed religion* were implied to be permitted luxuries to the higher classes.

changes, sir! I sat there—no, it was there—for twenty years: *I don't know what 'll be the end of it!*"

At their first starting, the committee of the Society had very strongly in their heads the notion that they had a vocation for direct communication with the uneducated classes, and that their forte (or, at least, their first forte) was to be the simplification and popular illustration of the material sciences. The introductory treatise on the objects, advantages, and pleasures of science (well known to have been written by Lord Brougham), was the incarnation of the genius of popular writing, with all the best and worst points which had distinguished the previous productions of the votaries of that spirit, standing out in the strongest relief. It was as clear as writing could be; it abounded in instances drawn from every corner of the universe, and put together with such skill that the interest never flagged, from the beginning to the end: but it teemed with inaccuracies, sometimes in words, sometimes in things. These were amended in later editions; and if we consider the legal and political avocations of the writer, we shall simply see reason to regret that he did not submit his work, before publication, to the eye of some one to whom scientific truths were matters of hourly familiarity: we have only here to do with the indication this pamphlet gave of the *set* which the Society seemed to wish to take. But the most amusing circumstance connected with these slips, is the manner in which the periodical press proceeded to correct them: for when a politician writes on science, the newspapers on the opposite side write against him, right or wrong; nay, let but a great parliament-man translate Demosthenes, and you shall have dozens of columns of verbal criticism, all on stamped paper, and with more Greek than English. One of the misdemeanors we allude to, was the statement that the force of gravity varies from the surface of the earth, instead of the centre; so that whatever may be the weight at any height above the ground, that at twice the height was said to be only the fourth part, and so on. This was a bad exposition of the truth; so bad, that a Tory newspaper could not endure it, and inserted a letter from a correspondent about it. This correspondent was a supposed shopkeeper, who first weighs his little boy in the shop, and then on the first-floor, and finds, to his utter astonishment, that the urchin weighs the same in both places. The wit was good, but only on condition that the ultimate laugh should be against the critic; for it is obvious, that *had*

gravity varied from the surface, as incorrectly stated, the experiment would not have detected it; for since both boy and weights were carried up-stairs together, the weights would have abated of their weight in the same proportion as the boy, and the equilibrium would have been as true as before. As in other things then, here action and reaction were equal and contrary: if a Whig fail in one direction, straightway a Tory fails in the other, and the balance of Europe is kept up.

The treatises of the Library of Useful Knowledge continued to advance rapidly; the wits about town called their editors the "Sixpenny Science Company,"—a very useful name, since it kept before the public the cheapness of their productions, and had not much of a sting after all. Nick-names only thrive at the commencement of an undertaking; by the time the *Penny Magazine* appeared, nobody remembered to christen it Goody 'Two-Sous, which would doubtless have been a knock-down argument. The "Useless Knowledge" Society, and the "Confusion of Knowledge" Society, were of course immediately snapt up by the lower tribe of punsters, the better ones holding back one instant to give them a chance, just as a good shot will do sometimes, when out with a new hand. But both names were well earned; for the Society soon began to disseminate that knowledge which had been voted *useless* by those who fought as long as they could for no knowledge at all; and as to the confusion, what better name did they deserve, who would willingly have made a mechanic as wise as a bachelor of arts? In the meanwhile—that is to say, while punsters were punning, and funsters were funning—the adverse principle got its "three warnings" in rapid succession; on came the repeal of the Test Act, the Catholic Emancipation, and the Reform Bill, with only a breathing time between each. The world became political, to an extent unheard of before; and the zealots had nothing to throw away upon so comparatively unexciting a matter as a society for publishing treatises on science and history. We remember individuals who could not mention the Society without disgust at its first establishment, and who afterwards, pending the furious spirit of the time of change, not only ceased their abuse, but bought and read the works of the Society, just as they would those of Murray or Longman.

A person looking at the first announcements of the committee, and comparing them with four out of five of the

treatises which followed, might have thought that, under cover of the professed intention to elevate the lower, the improvement of the middle classes was really contemplated. It was a manifest and notorious truth, that these productions were above the persons for whom they were nominally intended. We shall presently speak more at length upon the causes and consequences of this practical departure from the theoretical scheme; but first we may mention the new enemy which it raised up. As long as it seemed to be intended to write only for the lower orders, the booksellers cared no more about the Society than about the vendors of penny ballads; but as soon as it became evident that their works were to be competitors with those of "the trade," this last association began to murmur, then to cry out, and finally to talk about taking steps for the utter suppression of the right to associate for purposes of publication. Meetings were held (or at least summoned) to consider about petitioning Parliament against the wicked company which was to ruin the publishers. Common-sense, however, prevailed at last; and instead of exposing themselves to the ridicule of the country by a demand of a protecting duty against cheapness, the "trade" thought it would be as well to publish cheap works for themselves. Of all the services which the Diffusion Society has rendered to the cause of knowledge, this one of bringing the "trade" to a better view of its own interests, has been the greatest,—for it has thereby created twenty diffusion societies besides itself.

It is perfectly true that efforts had been made by one or two publishers to bring down the better sort of reading, by republishing cheap editions of standard works; but it is as true that these publishers were discountenanced by others as shabby fellows, who hurt,—not religion, not morals, not society—but the trade. These cheap editions were for the most part helped to their cheapness by bad print and paper: the principle of relying on large sales and quick returns had not yet been thought of. The manner of publishing the great works of great authors was as follows: A large number of booksellers combined to publish what was called a *trade edition*. If the work were not of the most universally interesting kind, such as Gibbon's *Decline and Fall*, it was in many volumes, and dear: if it were such as invited competition, as Shakspeare or *Tom Jones*, it was in small type, and cheap (comparatively: *Tom Jones*, in two wretchedly printed small volumes, cost *ten shillings*). As to the matter of these

trade editions, all additions, explanations, glossaries, &c. were sometimes tolerable in the dear editions, and almost always vile in the (comparatively) cheap ones. Let us take a trade edition of Shakspeare, published in 1826 (the year before the Society began its operations), with a sketch of his life (two pages) and a glossary (sixteen pages), and nothing more for the understanding of an author who now presents difficulties in every page. The title-page bears the names of the following booksellers: Rivington, Egerton, Cuthell, Longman, Cadell, Clarke, Booker, Booth, J. and J. M. Richardson, Evans, Mawman, Scholey, Bohn, Pheney, Baldwin, Baynes, Newman, Harding, Hamilton, Wood, Whitmore, Fenn, Tegg, Duncan, Mason, Mackie, Bohte, Whitaker, Kingsbury, Hurst, Robinson, Simpkin, Saunders, Smith, Elder, Wicksteed, Deighton, Wilson, Stirling, Slade, Black, Brown, Fairbairn,—forty-four booksellers,—with Co.'s, probably upwards of sixty,—with sleeping partners, or persons who had invested money in these several concerns, perhaps one hundred. One hundred English capitalists combining to print an edition of one of the most celebrated English writers! We look into the glossary of the hundred English capitalists, and we find that an "A, B, C, book," is a catechism, doubtless because the catechism begins with—"Qu. What is your name? Ans. M or N." We add a few more glosses, some of which will surprise by the information they give, and others by the want of it. Keep in mind—Shakspeare,—glossary of sixteen pages,—one hundred capitalists.

"*Acquittance*, requital.—*Adversity*, contrariety.—*Afeard*, afraid.—*Arm*, to take up in the arms.—*Art*, practice as distinguished from theory, theory.*—*Avaunt*, contemptuous dismissal.—*Augurs*, auguries or prognostications.—*Authentic*, an epithet applied to the learned.—*Banquet*, a slight refection, a desert.—*Baselisks*, a species of cannon.—*Beaver*, helmet in general.—*Bridal*, the nuptial feast.—*Card*, perhaps a sea-chart.—*Chamber*, ancient name for London.—*Child*, a female infant.—*Constancy*, consistency.—*Deny*, to refuse.—*Kinsman*, near relative.—*Royal*, due to a king.—*Setebos*, a species of devil.—*Sot*, a fool.—*Traitress*, a term of endearment.—*Summer-swelling*, that which swells or expands in summer.

If any of our readers remember the little dictionaries attached to the old style of spelling-books, they will find

* These two diametrically opposite meanings are actually given. We put this note, for fear of it being supposed that our own printer has casually doubled a word: perhaps their's did.

themselves at home in the preceding. But there is one explanation of a hundred-capitalist power: "*Chamber*, ancient name for London." We were completely mystified here; we had no more idea that Chamber was old English for London, than that three-legged stool was Shakspeare for the Thames, and we had little hope of tracing out the connexion. On looking into Camden, however, we found the following sentence: "Verum inter hæc omnia LONDINUM totius Britanniae epitome, Britannicæ imperii sedes, *Regumque Angliæ camera*, tantum eminet, quantum, ut ait ille, inter viburna cupressus." To what was reading for "the many" coming, when the Diffusion Society first started? It might be difficult to answer this question generally; but as far as designations for London are concerned, we may safely reply, that we were on the road to be told that *epitome* and *sedes* were the names which were given to it by Julius Cæsar. We have made no choice among "trade editions," but took the first which came to hand.

Can we be surprised that the publishers were grievously offended at the attempt to establish a new system? Can we also be surprised at the contempt which they seem to have had for the mass of the reading public, which, from many little indications, we gather them to have held in the light of a large baby, fed from the publishers' spoon, with anything which the publishers chose to put into the same? As they went home to their dinners, how could they but

"Depart in utter scorn
Of those who such a yoke had borne,
Yet left them such a doom."

But there is one thing which does surprise us, for it is hardly in human nature;—we mean the rapidity with which they changed their plan, and began to publish better books of the cheaper kind. They were once but "the trade," dealers (in great part) in spoiled paper and binding: they now deserve to be called "the profession," by comparison; and forty-four of them will never put their names again to such a glossary of Shakspeare.

Some of the merit of having brought about this change belongs, beyond all question, to the Useful Knowledge Society. Not any, even of their own friends, will claim it all; for the Society itself, though a powerful instrument, took energy from an awakening spirit, which would have found a way to compass its end, in any case. Having thus given due

mention to the publishers and their opposition, we shall proceed with our remarks on the main subject.

The committee, as we have said, seemed to imagine that they were to put themselves in direct communication with the rudest aspirants after information. They thought they had but to say—*write*, and a crowd of writers would appear, each more fit than the other to be their interpreter with the mass of the people. The difficult was to come down easy, the complicated to come out simple, and all at so much a sheet. They had not published a dozen treatises, before the general voice told them that their word was no guarantee for such a miracle. They persevered, however, in their publications; and though they did not gain their object in one way, they put others in the way to gain it in another. We shall enter further upon this point, and some preliminary considerations will be necessary.

In teaching, there are two things to consider—what is to be taught, and to whom; regulating the matter and the manner of the instruction. In the direct communication between instructor and pupil, the first point involves the extent of matter, as well as the matter itself: but in writing, it is different,—for a work upon any subject is usually meant to be complete, and capable of taking any learner as far as a learner (be he who he may) can be expected to go.

The business of the society was to provide all that could be learnt, and to put it in the way of those who were to learn. It was no question of theirs how much was practicable; every one would find out for himself how far he could go: and as to the society, the more it believed to be attainable, the more it was likely to attain. Observe particularly that no such thing is asserted of an individual teacher with an individual pupil, but rather the contrary. With regard, then, to the matter, we are to consider what the wants of the country were, in the year 1827.

We had not been, at any time since Latin ceased to be the common language of the learned, famous for a speedy importation of what was done abroad, either in science or literature: this was allowed to ooze in gradually, as one or another isolated individual was found, who had both sought for knowledge abroad, and was in a position to write. In this day, a very large proportion of men of knowledge write; and there is hardly a week in the year during which some work does not appear, which, had it been written a hundred years ago, would have kept its place for a considerable time as a standard

work. We have nothing here to do with the advantages or disadvantages of the old system of authorship as compared with the new; but only with the simple fact, which we believe all literary men will acknowledge, that our importations from abroad were somewhat scanty, and that the two wars which arose out of the French revolution diminished that small allowance almost down to nothing. After the peace of 1815, our scholars, our men of learning, and all the aristocracy of knowledge, recovered the means of placing themselves in communication with their fellows on the continent. The universities began, more or less, from that very year, to avail themselves of what had been done abroad. The cessation had been of use to them, for their appetite, which had been too small before the wars, was sharpened by the (even for them) small allowance on which they had been put while hostilities lasted. We are now speaking of the middle classes; for, as to those beneath them in position, the only question, up to the peace, was, whether they should even read or write: but when we come to our second head, we shall see that we are particularly concerned with the middle classes.

The constitution of literary society resembles the surface of a fluid mass which is continually troubled in several different places; the other spots are more or less agitated, according as they are nearer to, or further from, a centre of disturbance. No community can be kept in a healthy state unless there are some places in which the agitation is much greater than it had need to be over the whole mass. Large cities are centres of agitation for the practical and for the entertaining; universities for the speculative and the profound. A country of universities, like Germany, that is, a country in which literature takes its tone from universities, will exhibit a difference from one like England, in which the large towns predominate over the universities in the formation of the literary habits. Again, the characters of the different people, as they show in their large towns or universities, will of course cause further modifications of their tastes, opinions, and methods; and all the exciting causes of difference of character, race, religion, government, climate, &c., will each produce an effect. The continual introduction of learning and science from other soils is an essential of health. Now, in our own country, the studies of the mass of the reading community were altogether of the city, and not at all of the university. The practical and the amusing, the professional book and the novel, comprised everything. What were the reviews which could

maintain a profitable existence? Those which contained either politics or amusing stories. How could the *Edinburgh* or *Quarterly Review* contrive to give the few who cared for literature or science any account of what was doing at home or abroad? By tacking the unselling disquisition on to the political article, which, with most readers, was the essence of the work. The library of a person, who had not a good deal of money or was not in one of the learned professions, twenty years ago, consisted of: 1. The books of his calling (if any). 2. A right of common in the books of the adjacent circulating library, containing novels and a few standard authors. 3. A few shelves containing some of the cheaper 'trade editions.' In all this there was no change, except in the amusing part; it was like the reading of Miss Edgeworth's French governess, all *Télémaque* and *Bélisaire*. It was Goldsmith for Greece and Rome, Hume for England, nobody for everywhere else. The expensive books of the trade were for the rich and the learned; the rest had not even the crumbs which fell from their table.

The effects of a bad literary system will always stand out most prominently in the *school books*, and the benefits of cheap literature will first show themselves here; for the school books are the cheap books, and the cheapest books are almost sure to be made school books. If we had to deal with the most prejudiced opponent imaginable, with one whom no ordinary arguments could so much as bring to see that there was an argument, we should, as a last resource, place before him the library of a boy in one of the higher classes of a respectable second-rate school, twenty years ago, and the same now. This is a point on which no detail is necessary; there are so many to remember and feel what we say, and to think that we have not said enough. In the higher species of schools, many works used in the universities found their way; and there was thus an aristocracy of literature among boys, as among men. And it is important that this should be remembered by all who would form an opinion upon the state of things which the Useful Knowledge Society has helped in bringing about. Put the labouring classes out of consideration, throw out also the student of the universities, and the learned man, whether by education or profession; take into account the large mass of the community called educated, both in their boyish, and their mature, years: and thus, and thus only, can the first part of the task which properly belonged to a diffusion society be estimated. Now, we

see no *peculiar* merit in the treatises published by the Society, taken as a whole. Some are excellent, and have become authorities; many are good, many are indifferent, some are bad; no one, however, is as bad as those books which the "trade" previously published by dozens; none have found out *chamber* to mean *London*, or that *constancy* is the same thing as *consistency*, or that *augurs* are *auguries*. The superintendence of the committee, though it could not create, acted most usefully as a check; it raised the average character, by the prevention of systematic blundering. The testimony to this assertion of ours is contained in the details of all those criticisms, which, though guided by an adverse spirit, came from writers who preserved self-respect; not including, for example, the judge of art who declared that the cuts in the *Penny Cyclopædia* would be a disgrace to the Seven Dials; nor the profound astronomer who ridiculed the idea of double stars (evidently thinking the mention of them was a blunder of one of their writers); such critics as these are even below the set whose opposition is an honour. But it seems to us, that, taking altogether the numerous attacks which were made by better assailants, and looking at the actual amount of error detected, and good objection made, the Society's treatises came out of the ordeal in a manner which showed that they could not but have put before the mass of the reading community an enormous quantity of that which they most wanted—accurate information, proceeding from a higher and more extended reading than they had seen the fruits of in the ordinary productions of the trade, not as they are now, but as they were when the Society began its operations. We are not making ourselves the Society's advocates; and we believe we have said no more than any person, with moderate means of judging, and no peculiar antipathy to the body in question, will, in four instances out of five, be easily able to verify. Still less have we attempted to exhaust the whole subject, which, whether we wrote on one side or the other, might well take a small volume.

We now go on to the second point, namely, as to the sort of persons intended to be taught by the committee; in which matter we affirm that they failed in the direct mode, but succeeded to a great extent in the indirect: we speak now of the first years of their existence. Those who are to teach successfully must almost live among those who are to be taught; at least, the former must be familiar with the habits of thought of the latter, with their forms of expression, and with the right place

and mode of beginning the subject. To attack the rudest of the reading classes with well-digested bodies of science or history, was, therefore, one of the best things that could be done, because it was letting those alone with whom the Society was unfit to meddle, and addressing instructions to their teachers, or, perhaps, to the teachers of their teachers only. But, to judge from all their declarations, we are not to think that the committee had this idea in its head, but that it supposed itself to be really a body destined to communicate the rudiments of knowledge to those who would seek them; unless, indeed, we are to give it credit for an unusual degree of corporate slyness and depth, and to suppose that, masking its real object under the pretence of instructing the pupil, to save the honour and dignity of the teacher, its efforts were insidiously directed to the improvement of the latter. This we cannot suppose; bodies of men have no secrets, at least, unless they have a bond of union and a discipline which could not have connected men of all sects of religious belief, and all degrees of liberal* political sentiments. The same answer might be made to those who charged sedition and irreligion upon the Society, if they still continued their assertion; and though they do not now go further (and this only in ultra quarters) than to upbraid the publications of the Society with latitudinarianism, yet it is amusing enough to rip up the old extravagancies of party when they are too old to be familiar, yet not old enough to belong to a past generation.

The *Penny Magazine* was the first indication that the Society had discovered its preceding treatises to be too high for those to whom they were first addressed. We rather suspect that the design of this publication, as well as its execution, belongs to Mr. Charles Knight, whose reputation as an editor is kept in the background by his notoriety as a publisher. It is not often that the two characters are both united in one person; and very seldom indeed that the union has the remarkable success which has attended it in the present instance. The "trade edition" of *Shakspeare*, to which we have already adverted, has been amply redeemed by a real *trade edition*, edited, as well as published, by one of the body.

The *Penny Magazine* startled both friends and enemies of the Society; the former were astonished at the boldness of

* Is it more easy to unite men of different religions in support of a good object than those of different politics? The original committee contained all sects, but only one tory out of forty-two persons.

the scheme; the latter were enraged at its success, and called upon the government to suppress it as an unstamped newspaper. Wiser opponents had recourse to imitation; and the Society for promoting Christian Knowledge started the *Saturday Magazine*, which differs from the *Penny* as to its plan, in a constant attempt to be religious, that is, not merely to avoid all that is bad in its tendency, and to choose such subjects as will combine innocent amusement with matter tending of itself to promote serious thought (which is done, we think, in both), but to add a number of doctrinal or exhortatory *panniculi*, which are stitched on, in the manner described by Horace, and which only say, and are perhaps only meant to say, "This is the *Saturday*, not the *Penny*." And we have observed in several other writings published under the same superintendence, an introduction of one, or perhaps two or three sentences in the preface, which are most obviously meant as signals, and nothing more. We stop for a moment to remind this Society (in all good will, for we were among those who hailed the application of a part of their funds to the dissemination of profane knowledge), that two or three sentences of *adhesion* to religion do not make the difference between a religious and an irreligious book: if they do, the celebrated chapter* of Gibbon, in which he gives his view of the causes of the rise of Christianity, may be set down as worthy to come from the Society for the promotion of Christian Knowledge. That chapter is an attempt to show that the rise of this religion can be traced to common and human causes, as much as that of the Roman empire, or the Newtonian philosophy; and the inference intended to be drawn is, that no supernatural assistance need be presumed to account for the phenomenon; it is the other side to the argument of Paley. Many a simple person has been regularly taken in by the procemium to all this; "Our curiosity is naturally prompted to inquire by what means the Christian faith obtained so remarkable a victory over the established religions of the earth. To this inquiry, an obvious, but satisfactory, answer may be returned: that it was owing to the convincing evidence of the doctrine itself, and to the ruling providence of its great author. But, as truth and

* A work, well known to the Society for the Suppression of Vice, ends with a salvo to chastity; ludicrously absurd, no doubt, in that instance. But there are more dangerous books, in which the practice alluded to is an effectual cover to all appearance of mischief.

reason seldom find so favourable a reception in the world, and as the wisdom of Providence frequently condescends to use the passions of the human heart, and the general circumstances of mankind, as instruments to execute its purpose, we may still be permitted, though with becoming submission, to ask, not indeed what were the first, but what were the secondary, causes of the rapid growth of the Christian Church." Now, we may ask, what is to hinder writers, whose aims are not exactly those of the Christian Knowledge Society, from dressing their productions in a little frontlet of the same kind? The preceding could only be known to be ironical by that which follows. The danger is, that a system of supporting opinions by signals may be met by another system of hanging out false signals: the pannicular mode of exhibiting opinion may be found to have more uses than one. The straightforward plan of the Society for the Diffusion of Knowledge was to avoid that which they could not consistently teach. The attempts to prove "infidelity in disguise" have been among the weakest of the attacks upon it. The most decided set at this point appears in the criticisms made upon the articles "Christ," "Christianity," &c., in the *Penny Cyclopædia*. Let us go back to the celebrated *Encyclopædia* which was, as all the world knows, infidelity in disguise. Did Diderot himself venture to write the article "Christianisme"? If he did, he refrained from venturing his name. Did the infidelity make its appearance in this article? "Elle est, entre toutes les religions qui se disent révélées, la seule qui le soit effectivement, et par conséquent, la seule qu'il faut embrasser La main de Dieu est visiblement empreinte dans le style de tant d'auteurs et d'un génie si différent dans cette morale pure et sublime" The only concealed infidelity in this article is the care which is taken that there shall be none at all: and, most obviously, any person wishing to attack the established religion in an alphabetical work, and "in disguise," would choose his ground better than by expressing his sentiments, directly or indirectly, in the very place where they would be most open to those whom he would fear, and least effective upon those whom he would seduce.

In the *Penny Cyclopædia* these articles, which are purely narrative, hold the balance quite even between the different denominations. This made a sort of outcry (not a loud one, for the day was gone by), that the committee had put their disguised infidelity into them. The reason was, we suppose, that no doctrines were entered into, nor description of the

differences which exist between Catholic and Protestant, or Churchman and Dissenter. This last was done in different articles, and in the fairest way. Distinguished persons of different names were invited to contribute each a simple account, such as a work of reference ought to contain, of his own religious community. The article "Catholic Church," for example, was written by a divine whose known learning and character were vouchers for its accuracy; meaning by accuracy, that it should be a true representation of what Catholics say for themselves. The article "Methodism" was written in the same way by a Methodist, and so on. Nothing could be more honest, or better calculated to give the inquirer that which he might lawfully wish to know, excluding only doctrinal controversy. Those who fear or hate to see how persons of other denominations describe themselves, have been honestly told, that the *Penny Cyclopædia* contains what they fear and hate; they need not buy it, but they are very foolish for giving others to understand that they think common fairness to be nothing but infidelity in disguise: we know that many persons do so think, but they are not wise to let it out, for it tells a little secret which they would not wish even to whisper to themselves.

The preceding remarks have a connexion with those which we have already made on what we have called the pannicular system. Take any one of the aspersed articles, and it would be found that it only needs a little acknowledgment of the superiority of any one sect to make it fit for appearance (as far as it goes), in a work of reference intended for circulation among that sect. If the publishers would only print separate pannicules for the different persuasions, and instruct the booksellers to paste them on according to the opinions of the buyer, most of those who object would be very well satisfied. And why should not this be done in a wider manner? Why should not the different denominations add each its volume, of its own accord and at its own expense, to the *Penny Cyclopædia*, which is now pretty generally admitted to be a work of considerable authority, and is certainly very much used? Was there ever a better opportunity to bring opinions under the consideration of others? We should like to see the *Catholic Supplement*, the *Church of England Supplement*, the *Methodist Supplement*, &c., all brought out uniformly with the work, by the accredited booksellers of the different parties. Think of it, gentlemen publishers; there are tens of thou-

sands of this work about the country; attach your *Cyclopædias of Religion* to it. A great many would buy those of other sects to complete their work, who would wait long enough before they bought independent works of the same kind; while those who are afraid to see the opinions of others need buy no more than their own. And there would be this advantage, that all the common matter might be referred to as it stands in the work, or refuted, if need were. It would be an excellent thing to see the opinions of different parties—their views of their own history—their own biographical accounts—their own political views, so far as their religious sentiments demand them—all attached to the same general articles, and connected, for agreement or disagreement, with the same general view of history, science, and law. We should then see who dared come forward, and who judged it most prudent to keep out of the way. We should be able to compare the learning, the candour, and the power of argument, of the various bodies: we wish they would all try it, and God defend the right!

The *Penny Cyclopædia*, which was commenced in 1833, soon after the appearance of the *Magazine*, seems to have been intended at first to bear somewhat of a resemblance to the latter; that is, to have been made for the working classes, as a sort of more elevated companion to the *Magazine*: that is to say, the publishers showed a momentary symptom of such an intention, which almost instantly disappeared, and the work rapidly assumed a more learned character. Its principal defect is that of all *Cyclopædias*, namely, inequality in the contents. Those who write on natural history and on civil history, seem to have formed different ideas of the extent of the work, and to have been permitted to retain them: perhaps it was found practically impossible to make different writers, with different subjects, obey the same scale. To this work, even more than to others, apply the remarks which we have made on the normal character of the writings published by the Society. The *Penny Cyclopædia* is more accurate in the smaller details, by a great deal, than any other published in our country. The plan of filling up the interstices between large, well-considered, and elaborate treatises, with dribblets of alphabetical matter (*rubble*, we believe, is the name builders would give it), which have either descended from generation to generation for the purpose, or are taken fresh out of other works, had predominated in all such undertakings, from

Chambers downwards. We except, as far as we know it, *Brewster's Cyclopædia*, which, however, is mostly scientific, and has not so large a range of subjects.

It is not our intention to comment on the works of the Society in detail. Many of the preceding remarks have arisen out of the opposition which the undertaking has experienced; an opposition which is now silenced. The consequence is that the Society goes on with its business in peace, and the good which its publications have done, and are doing, not being (thanks to itself) invested with the striking character of novelty, does not keep its name before the public so prominently as heretofore. Now and then, indeed, some organ of its old opponents bangs off an article against it, which the Society endures in most equanimous silence; having found by experience that there is no occasion whatever to return a fire of blank cartridges. The imitation of their proceedings by public bodies and private publishers is an answer to everything that can be said. We have noted an instance of this imitation of the former kind, and we shall now add one of the latter, remarkable in itself, and showing how well the old opposition of the publishers has subsided into rational competition, accompanied by honourable acknowledgment.

One of the worst points about a publisher in the management of his business is, that he lets the printer *do the beautiful* for him; that is, he leaves everything regarding type, &c., to the printer, allowing himself only the choice out of the printer's stock. Now of all things in the world, printer's beauty is most distressing to the reader, whose want is legibility. The printer looks at the whole page as a whole; the reader has to pick out the parts. Anything which stands prominently out offends the printer's eye, but helps the reader. Authors therefore, or editors, who value the clearness of the page, should keep a sharp look out upon the printer, whose constant aim is to make the page a picture, and the lines and words as well subdued as the separate lines of shading in a copperplate. All this is exaggeration, of course; but it will serve to point out the tendency of a printer's habits. Now in the formation of type there may be an elegant swelling from thin to thick, which is beautiful, no doubt; and a clumsy average, or nearly so, of the two, which is more legible: the thin heads and feet of the letters may be as sharp as they can be, according to the practice of the English typefounders, or comparatively clumsy, as in most of

the French books; the former is beautiful, the latter legible. Again, heads and tails may be made clear and prominent, which gives legibility, or they may be reduced almost to nothing, which makes regularity and (to a printer) beauty. There is nothing to which the preceding is so directly applicable as to numerals, because in reading them every figure is of consequence; whereas, if a book were to be published with one letter picked out of every word, a very little practice would enable the reader to go on well enough. Besides, we read by words, perhaps by phrases, not by letters; and the conditions of legibility as to words and phrases, may not be altogether* the same as to letters. Some forty years ago Dr. Hutton proposed to abolish the ancient form of numerals, and to substitute others without any heads or tails. This change was greedily adopted by the printers, for it suited their notions exactly; the computer and the mathematician had to complain that their tables were made more difficult to read, and to endeavour to make foreign works answer their purpose whenever they could. The size of the numerals became larger and larger, for the smaller types were almost undistinguishable. For small tables of logarithms, the French work of Lalande (stereotyped by Didot) was imported, and was found very much preferable to any of those published in this country, though neither type nor paper were favourable. The Society for the Diffusion of Knowledge proposed to remedy the defect, and to restore the old numerals. They caused to be published a reprint of Lalande, combining the legibility of the antique numerals with the goodness of English type and paper, and adding some minor matters of improvement. From the day of its publication there was no further question about the superiority of the old figures. The year of publication was 1839. In 1840 appeared another table of logarithms, by a publisher, with the same figures, the same minor points of detail, and the same supervisor of the press; but with no unhandsome degree of imitation, for the second tables were to *six* places of figures, while the Society's were carried only to *five*. Various tables of logarithms are necessary for various purposes; five places are always more convenient than six, but the latter are sometimes necessary,

* We have a suspicion that if the heads and tails of letters were abolished, the forms remaining the same, we should in the end gain more by the clearness of the space between the lines than we should lose by the abolition of the prominent parts.

particularly in trigonometrical operations. The fondness for numerical calculation which has always distinguished the English school of mathematicians, has commonly induced them to take seven places; but this is more than is generally useful. To put by the side of five places a table of six places, corresponding in all other respects, was a competition of the most desirable kind; and the due acknowledgment made to the Society in the preface, with reference to those points on which imitation had to be admitted, was worthy of publishers who had ceased to call London by the name of *chamber*, and who thought better of their public than to find it necessary any longer to tell them that *summer-swelling* means that which swells or expands in summer.

We shall not much more miscellanize our article if we stop to point out one particular in which the publisher's edition failed as compared with its predecessor. Among the other marks of beauty, according to the printers, is a white and sparkling paper, which shines so brilliantly that its contents might almost as well be written in the sun. It is said that it has been the practice of late years to put a little lime into the substance of the paper, to bring out this gloss and brilliancy; and certainly in making notes on our books, we have found that the process very much resembled writing on chalk. But whether the present age of typography be one which sets limed twigs to catch winged souls or no, certain it is that there are two kinds of paper, the sparkling and the dull; and as certain that mathematicians and computers, who use tables, would gladly have the dull paper, which spares their eyes, in preference to the shining paper, which puts them out; for the consultation of tables, often repeated, is as wearing to the eyes as anything need be. Now the Society's logarithms are printed on what would be called a nasty, shabby, whitey-brown rag; the six-figure logarithms are resplendent in a white glare of paper, or lime and paper, as the case may be. We can assure the publishers of the latter that they have erred in their choice of a material; and we hope that the next *tirage* will show that they have some pity upon the eyesight of their readers.

In some instances the society seems to have aimed at producing works which should be as extensive and profound as any in the language; and that which we propose to review in the present article is of the number. It will be a good instance of the manner in which such works act down to the classes for whose especial benefit the Society was intended. The sub-

ject is the calculation of interest and annuities, containing many points of daily increasing practical importance. The bearings of such a publication at the present time are now to be considered. In this *Review* (August 1840) appeared an article on "The Necessity of Legislation for Life Assurance," in which every endeavour was made to provoke what was pretty well known to be a fraudulent association into a prosecution for libel, if its directors had dared. This institution, calling itself the "Independent and West Middlesex Insurance Company," had several times attempted to prosecute in Scotland, and it was the object of the preceding article (in part) to expose it in a manner which, had it possessed one grain of respectability, would have forced it to justify its character in a court of law. Nor was this step a bold one, though it might have appeared so to some; for we had the most positive evidence that the concern was neither more nor less than a gang of swindlers. One of our remarks was as follows: "this one instance alone would justify the rational part of the community in demanding legislation on the subject. Whether this community be what it has been represented to be or not, that is, whether ignorance and rashness, or preconcerted fraud, be the key to the extraordinary annuity and assurance tables which we have exposed, the consequences will be equally fatal to the numerous subscribers, who, with their families, must be injured, and may be ruined, by the operation of this *impossible* scheme. Law must step in, sooner or later; and once again we ask of our legislature, What are you waiting for? *Will you never believe that the plans which tend to the ruin of the widow and the orphan, on a large scale, are to be checked, until you hear the cry of the injured reproaching you for the past, because you would not take the clear warning which pointed out the future.*" The crisis soon arrived, and was perhaps in part brought on by our article; the swindlers decamped to the continent with their gains, and the cry of the injured was heard, as far as the newspapers (which take interest in nothing but politics) would allow. But even in the meagre police reports, which announced the fact and its consequences, there appeared enough to make the benevolent shudder. We have not now a legislature existing of which to ask any questions, and the din of politics, which is louder than ever, seems to threaten that we shall have, as heretofore, sessions of nothing but gabble, gabble, gabble, about which party is to hold the reins of government. But should it so happen that a time is coming in which the state of the nation

will really be the object of consideration, it will then be time to put another and a stronger question—How many millions of the hard earnings of the middle and lower classes are to be exported for the maintenance of swindlers in splendour on the continent, before the wrangling politicians will think it necessary to spend a few hours in passing a law of protection? O that a free press could be maintained under a despotic government! If we could but have these two things made compatible, with what pleasure should we hear of the houses being shut up once for all, and the key thrown into the Thames, to look for James's great seal. And slowly, if the present system goes on, will the thinking part of the community come round to some very curious and unconstitutional notion about parliament, which will end in a very large increase of the power of the crown.

It is true that during the last session a member of the House of Commons did take up the subject, and moved for a select committee on the state of life assurance, &c.; but the government stepped in, and proposed that the committee should extend to all joint stock companies. Oh rare! If the cholera broke out with such virulence that medical assistants failed in numbers, and if it were proposed to spend a week in training a thousand men to apply the simplest modes of treatment, what ought such a government to do? Why, to insist on their all beginning with anatomy, and learning to cure all disorders *secundum artem*! Or if an enemy were going to attempt an immediate invasion, and hundreds of thousands were to demand the few days training which circumstances would permit, hoping that good hearts and strong arms might make up what was wanting, what would such a government do, again? Send them all into the interior of the country, and drill them to the highest pitch of military perfection, with the assurance that they should then recover London from the invader! What this committee did, nobody seems to know, nor does it now greatly matter. In the meanwhile the West Middlesex swindlers, on the other side of the water, will curse their own folly in running away from such an inquiry, and will deeply regret that they did not wait till they had got a few hundred thousands more.

We must, we are afraid, give up any hope of assistance from the high powers. All the strength of the Whig has been spent in keeping half a head before the Tory, and the country is now to try whether it will be better governed by the Tory striving to keep as much before the Whig. The monkey

is biting at one cheese after the other, and looking at the balance as it alternately tips a little to either side. We have not thriven because water was poured into our milk, and we are to see if we can make a better drink by pouring the milk into the water. But yet something must be done to prevent persons from presenting the fruits of their labour to the first knave or fool who asks for them; and we must therefore have recourse to the slow, but sure, method of distributing a knowledge of the subject among the people. This may be done in two ways,—both good, but neither quite complete by itself. The general principles of the subject may be widely taught, but this is not enough; the number of those who can apply them rigorously to the questions which arise must be greatly increased. To this end, books of sound mathematical learning on the subject, accompanied by tables which will remove the necessity of much calculation, must be made attainable in a comparatively cheap form; and one of the sort is so made attainable in the work before us, which not only provides at least four times as much help to calculation as any of its predecessors, but will be sold at a price unprecedentedly low, for such a mass of table matter.

We see with great pleasure that in many different quarters *popular* essays on life assurance and annuities are making their appearance. We do not know whether these are good or bad, nor does it so much matter; all are friends in the present attempt. The worst of them will show many that there is more in the subject than can be mastered by taking a few shares in a new company, and will impress on the mind of its readers the necessity for some little inquiry. This much would be a great step gained, if it were universally gained. The smallest investigation, a mere pause till a friend or two could be consulted, would have saved many of those who were miserably taken in by the West Middlesex swindlers, from their disastrous fate. A very little knowledge of the subject, the mere idea that there is knowledge on the subject, would, if it were general, prevent the class of desperate rogues from combining for the mere purpose of plunder. But more must be done; for there are plenty of schemes, which, without being criminal, are most blameably rash. It is not a slight knowledge of principles which will serve to detect these; figures must be applied, and properly applied. It has been said that there is nothing which may not be proved by figures; this means that there is nothing which may not be shown from figures to those who only look at the figures. It was

the proverb of those who were always frightened by calculation, and silenced by a show of figures; so, in like manner, among savage nations, there is nothing which may not be gained by firearms, until they have got firearms for themselves. Arithmetical calculation is not now so much of a bugbear as it was; there are many who can not only endure, but practise it, and they must be shown how to do it.

As soon as the science of life contingencies had been successively licked into shape by Halley, De Moivre, Simpson, Dodson, and some others, and the exertions of Dr. Price had presented tables which appeared to represent the value of life in England, and the establishment of several assurance offices had given hopes of stability to its practical application, a succession of writers took upon themselves the charge of providing elementary instruction on the subject. Until the appearance of the work before us, the principal writings which were notorious as combining both instruction and tables, were the works of the late Mr. Morgan, of Mr. Baily, and of Mr. Milne. The well-known work of Dr. Price contained indeed the tabular matter connected with the Northampton tables, and a full account of their construction, but no elementary treatise on the application of the tables. Each of the preceding works had a merit of its own, and it will explain our remarks on the work particularly before us if we give a few words to each.

Mr. Morgan, a relation of Dr. Price, was introduced by the influence of the latter to the management of the affairs of the Equitable Society. He was of a cautious temperament, and, which is more to our present purpose, was a well-informed mathematician. He was the first who applied mathematical reasoning to the solution of the more complicated class of questions, on the assumption of a table of mortality, properly so called. The distinction is this: preceding writers had used what was called De Moivre's hypothesis; a mathematical assumption which superseded the use of a table of mortality, and assigning a simple (but not very accurate) law of life, made it possible to give tolerably simple formulæ for the most complicated problems. Mr. Morgan, in various papers published in the *Transactions of the Royal Society*, solved these problems in what is now called the usual method. Later writers have given conciseness and elegance to these solutions, but it was Mr. Morgan who led the way in this path. In his work on assurances (the second edition of which was published in 1821, the first having preceded it by more than forty years) Mr.

Morgan gives, 1. The principles of the subject and the solution of questions expressed in words at length, the algebraical part being reserved for the notes. The tables added to the work are mostly those which Dr. Price had already given in his well-known treatise founded on the Northampton tables. This idea of expressing the formulæ by verbal rules was not a happy one. It was afterwards adopted by Baron Maseres (in 1783), in that most prolix of all possible works, his *Treatise on the Principles of Life Annuities*. The shortest way to comprehend this subject is to learn a very little of algebra; the time spent in doing without algebra must always be longer than that necessary to learn the requisite amount of it. Mr. Morgan's work, though the first elementary treatise, must not be called the first algebraical treatise, on the modern methods.

Mr. Baily's *Doctrine of Life Annuities and Assurances* was published in 1810, and obtained a popularity among actuaries which not only soon put it out of print, but has, even up to the present time, made its second-hand price greatly exceed that at which it was published.* This celebrity it owed mostly to its being a clear and systematic algebraical treatise, most emphatically superior to that of Mr. Morgan in the notation employed; and in some measure to a larger range of tables. It was published at the period in which the defects of the Northampton tables began to be seen, and the want of others giving a longer duration to life began to be felt. The tables of Deparcieux, and the Swedish tables, then appearing for the first time in so extensive a form, were not demonstrated to be particularly applicable to English life; but they were valuable, in the absence of others, as giving longer life, it being known that the life of the Northampton was too short. Mr. Baily's work also introduced to the world the method of Mr. Barrett, of which we shall presently speak.

Mr. Milne published, in 1815, his *Treatise on the Valuation of Annuities and Assurances*, which has, since the disappearance of Mr. Baily's work as a book on sale, been the great authority in algebraical matters connected with life contingencies; and of late years has also taken that post with reference to its tables. In the mathematical part it combines a general account of the method of constructing tables of mortality, with a full investigation of the formulæ for their use, carried completely through all problems involving one,

* A French translation appeared some years ago.

two, or three lives. To the algebraical symmetry which Mr. Baily had introduced, is added the first general attempt to institute a distinct notation for the representation of life contingencies; the results of which, though somewhat cumbrous in appearance, and strange in their symbols, will in all probability lead to some general agreement on the subject; more than one writer having been led to the consideration of this branch of expression by the route traced out by Mr. Milne. The defect of the work to a learner, is too great a generalization at the commencement. With regard to the tables, Mr. Milne, by aid of observations on the value of life at Carlisle, presented a new table (the Carlisle), which subsequent verifications have shown to represent more accurately than any other the state of life among the middle classes in England.

Dr. Price and Mr. Morgan set the example of making the fundamental tables to consist in the values of annuities on one life for every age, and of two lives for every pair of ages in which the difference is five years, or any multiple of five years. Other differences of age must be supplied by interpolation,—a process which gives results sufficiently accurate in most cases, but which sometimes does not admit of so much being said. In the construction of these tables, which is a work of tolerable labour, much valuable material is thrown away, and the results of it only presented. The want of the rejected part is very severely felt in many problems, which are tediously long when the answers are to be deduced from the tables of complete annuities. Mr. Barrett, of whom no more is known than that he linked his name inseparably to this subject, proposed a very ingenious modification of the tables, which, stopping short of the final results, leaves it in the power of the calculator to proceed as if he had before him all the raw material of the old tables in its easiest form. This method was first published by Mr. Baily, in an appendix to his own work,—which appendix was, we believe, subsequent to the treatise of Mr. Milne: it was thrown into a more convenient form, and extended in power, by Mr. G. Davies, and is now the most valuable instrument of which the actuary is possessed; and, what is more to our present purpose, it is the form in which knowledge of the modes of calculation will be diffused among arithmeticians in general.

At the appearance then of the work before us, the state of the science, as to points now under consideration, may be briefly summed up as follows: The superiority of the Carlisle Table was admitted;—the old methods, depending upon

complete annuity tables, were the ones in general use;—the practical correctness of results was somewhat lessened, and the trouble of obtaining them increased, by the incompleteness of the published tables of two lives;—many tables of simplification had been computed by actuaries for themselves, but none were published;—Barrett's method was impeded by the want of published tables, though many private persons had them in manuscript for their own purposes;—the number of persons, not actuaries, who could work a simple question, was very small.

The treatise published under the superintendence of the Society for the Diffusion of Useful Knowledge began to be issued some years ago, and is not yet quite completed; but as the whole of the explanation has been some time before the public, and a mass of tables very much exceeding those of Mr. Milne has now appeared, a review of the whole will not be premature. The author is Mr. David Jones, actuary of the Universal Life Office. His preface (yet to appear) will, we hope, point out in detail the methods employed in the calculation of the several tables. The work consists of a treatise on interest; forty-three pages of tables to accompany this treatise (usually mixed up with the life tables); a treatise on life annuities, as to all cases in which not more than two lives are concerned; six hundred and thirty pages of life-tables, *plus* some yet to come. The treatise on life annuities, which belongs to this mass of tables, is only of one hundred and twenty-six pages. With regard to the treatise, independently of the tables, we have examined it (for a particular purpose) much more closely than we should have thought it necessary to do, previously to expressing a general opinion; and we can give our strongest testimony, both to the soundness of the writer's methods, and the accuracy of the printer. There is, however, no occasion to enlarge upon a question of fact, which must be established; for those who work questions of this kind *must* have the tables, and will therefore in most cases find out the merit of the work. The great defect is a badly chosen notation,—inferior, in our opinion, to Mr. Milne's. Its symbols are too small, and there is the defect of double indices; thus an annuity on joint lives of the ages m and n , to last k years, is denoted by

$$a_{\substack{(m, n) \\ k}}$$

It is more easy to blame any notation on this subject, than to point out one in which all would be disposed to unite: the following are those which have been proposed for this case by other writers on the subject:

$$k] \frac{MN}{\quad} \quad | \quad MNk \quad \quad \text{I} \quad \frac{1}{MNk}$$

In respect to the duplication of indices, Mr. Jones has a decided majority against him. But with regard to such a set of tables as the present, the preliminary treatise becomes comparatively unimportant. They are so cheap, that we have no doubt one or more treatises will be written, which will dispense with tables, and refer to those of Mr. Jones. It has hitherto been a drawback to the exertions of elementary writers in this respect, that, owing to the scarceness or dearness of former works, it has not been advisable to write treatises on the subject without a copious appendix of tables. Besides this, the time has hardly been till now, when there was anything like so general an agreement as to the table which should be used, as now exists with respect to the Carlisle. We should very well like to see Mr. Jones arrive at the honour of being the table-referee of two or three writers, treating the subject in different modes, according to their views of the way in which it can be best elucidated or systematized. A person may now write on logarithms, without the necessity of publishing a table; and such will be, for some time to come, the case with life annuities: for until the materials of the Registrar General and the Actuary of the National Debt Office come to the public view with some specific results, particularly on the difference between male and female life, we see little chance of the Carlisle Table being disturbed; and possibly no such thing may take place even then.

The accuracy of the tables is the next point for consideration. We have been informed that there is an error affecting the annuities at $3\frac{1}{4}$ per cent., arising from a singular cause, one of the sort against the effects of which it is almost impossible* to guard in computation: this is to be removed

* One would suppose, for example, that when two able computers, in different parts of the country, are employed upon the same question, and produce the same result at the end of a long calculation, their two works agreeing figure for figure throughout, their result might be depended upon. Yet it has been known that two such persons have made precisely the same mistake, in merely taking out the same logarithm, there being no more reason why they should

by cancelling the requisite number of pages, if our information be correct. Much depends, as to the reception they will get, upon the explanations to be given in the preface. We can only say hitherto, that as far as our means go of comparing them with preceding tables, or with private manuscripts, we have found them accurate. For the rest, they must of course gradually establish their own character; and this we think they will do. From our private information, we should say that every proper step has been taken to insure accuracy. Besides, we count somewhat upon the general character of such tables, which is very good. Of all the tables printed by actuaries, it has very rarely happened that frequency of error, in computation or printing, has occurred.

We shall now describe the contents of the tables, as far as the Carlisle Table is their basis; and from this the great bulk of Mr. Jones' tables are calculated. We put in italics the tables which, to the best of our knowledge, are new in print, or the novel circumstances in which they differ from preceding ones.—Numbers living, &c. with logarithm and complement of the number which complete each age; and mean duration.—*Barrett's tables for single lives* (D, N, S, M, and R) for 3, $3\frac{1}{2}$, 4, $4\frac{1}{2}$, 5, and 6 per cent.; with D, N, and S, for 7, 8, 9, and 10 per cent.—Annuities on single lives at 3, 4, 5, 6, 7, 8 per cent.; also at $3\frac{1}{2}$, $4\frac{1}{2}$, 9, and 10 per cent.: the $3\frac{1}{2}$, 4, and $4\frac{1}{2}$ carried to five decimals.—Annuities on two lives, to every pair of ages, at 3, 4, 5, and 6 per cent.; also at $3\frac{1}{2}$ and $4\frac{1}{2}$ per cent.—Chance of living a year, with its logarithm.—*Present value of assurance on a single life* at 3, $3\frac{1}{2}$, 4, $4\frac{1}{2}$, 5, 6, 7, 8 per cent.—Probability of survivorship, as in Milne.—*Barrett's table* (D and N) for two joint lives, and every pair of ages, at 3, $3\frac{1}{2}$, 4, $4\frac{1}{2}$, 5, and 6 per cent.

Mr. Jones has also given brief tables on two joint lives from the Chester Table, being the first time, as far as we remember, that male life has been distinguished from female

agree in that mistake, than in any other that could be imagined. A hundred millions to one against such a thing occurring at any given trial, would be unfairly small odds; and yet it is known to have happened. It happened to ourselves, a few weeks ago, to be trying to ascertain from what formula a certain table was constructed. From the heading we made it out, as we thought; and on applying it to an instance in the table, we found 23.59, the number in the table being 23.597. Nevertheless, it turned out that we had totally mistaken the nature of the table, and that we had no more right to expect an agreement in any one figure, than if we had picked a formula at hazard out of any book on algebra. Every person who computes will occasionally find what he will be inclined to look at as an unprecedented coincidence.

in such tables. We do not think it necessary to detail what has been done on the Northampton Table, &c.; and we conclude our account with expressing our firm opinion that Mr. Jones is entitled to the gratitude of all who have to solve questions in such subjects, and has established his own reputation on a solid basis.

As far as we have yet spoken of the work, we have considered the actuary only; but we are now to ask what remains to be done? Considering the importance of extending this branch of knowledge, inasmuch as it will be to every man more or less connected with the mode of employing what he can save from his earnings, we see before us a reservoir from which much knowledge may be distributed. The new tables (Barrett's method) will enable an arithmetician of the most ordinary character to solve very complicated questions by simple operations, and ordinary problems still more easily. The extension of this knowledge, in the absence of all aid from government, is positively the only mode of saving the foolish from unprincipled or rash and ignorant combinations against their earnings. Until any man may hope to find among his friends some one or other who can give him an answer to a simple question, there will always be a class of persons who have in such matters nothing to trust to, except the professions of a prospectus. Nay, if only one man out of twenty among the educated classes had been able to use one or two of the more simple tables in this work, we think it would have been almost impossible for the West Middlesex swindlers to have succeeded to anything like the extent which they did. Those who will bear in mind that one man tolerably versed in these matters, may be but another name for several widows and orphans saved from destitution, will see few better works, few more enlightened charities, than lending his help to spread the information: and if it happen that the Society for the Diffusion of Knowledge hereafter finds, that, in its former efforts for the improvement of friendly societies, and its present attempt to lay a basis of sound knowledge under the whole subject, it has contributed to save the unwary from ruin, and the ignorant from becoming a prey to fraud, it will feel this one success alone a sufficient set-off against the sneers of the fine, and the enmity of the bigots; if, indeed, it do not reckon as such, the having made the attempt, and had the intention, and carry the success to the balance.

ART. IV.—*Encyclopädie der Deutschen National-literatur*, von O. L. B. Wolff. (*Encyclopedia of German National Literature*, by O. L. B. Wolff.) 4to. Leipsig: 1834-40.

THE treaty of Westphalia, concluded in 1648, was a precious boon to Germany. After a contest of thirty years, which had spread desolation over the surface of that once-flourishing country, during which whole districts had been devastated, and the track of War,

“doomed to go in company with pain
And fear and bloodshed, miserable train!”

was marked out by the ruins of entire towns and villages, and by cities half-depopulated, it brought a breathing-time of repose and restoration, as necessary to the well-being of her people as it was precious and welcome. The air, which the brute clangour of the war-bugle had violated, was filled with songs of cheerfulness and gratulation; the field, rent by the hoof of the charger and the artillery-wheel, now bore but the trace of the productive plough; and to the rapid and destructive evolutions of a licentious soldiery, Pappenheimers and Pandours, Frank and Swede, “blue, white, and red, with all their trumpery,” now succeeded the movements of the thoughtful scholar, the enquiring traveller, the toiling husbandman, and all the tranquil and humanizing interchanges of commercial and social activity.

All the curses of war, however, (that sacrifice of abomination that man offers to the evil one), cease not with it; such, as the punishment of our wilfulness, is the law and constitution of the thing by the decree of heaven. The foot of the stranger no longer oppressed the soil of Germany,—“peace was within her walls, and plenteousness was in her palaces,”—but a subtle and wide-spreading infection had shown itself, that threatened to eat into the very core of the national heart. This arose from the extensive influence the French had acquired in the affairs of Germany at the close of the war. This ascendancy soon made itself felt in the manners and literature of the country, producing the most injurious effect on its moral and intellectual life, and fatal for some period to the free development of the vigorous mind, honest character, and national spirit of her people.

Among all classes but the peasantry, instigated by the nobility, a taste for everything French was diffused; customs,

dress, amusements, in the habits of domestic, and the proceedings of public, life. A writer* of the time thus reproaches his compatriots:—"There is no doubt, which many have remarked, that if our forefathers, the ancient Germans, could rise from their graves and revisit Germany, they would never believe that they were in their father-land among their own countrymen, but suppose themselves to be on foreign ground, amidst unknown and very different men; so great are the changes which have occurred—I will not say in a thousand, but in a few hundred, years. Among these not the least is, that the French (who by these Germans were not held in any particular esteem), are now everything with us. We have French attire, French dishes, French furniture, French language, French manners, French vices, and even French diseases are most abundant. These ancestors, instead of beholding in their beloved Germany men resembling themselves, would find it occupied by German-Frenchmen, who have so completely departed from their ancient customs, that nothing remains indicative of the past. They would regard us as changelings and bastards; and, with our Frenchified little beards, would rather deem us weak and cowardly women than slightly and brave men. They would pour on us their rough and energetic reproaches, or, not esteeming us even worthy of their scorn, with bitter mockery cast us from them." The native language, already extensively corrupted by the introduction of a multitude of foreign words, making it resemble, as Jean Paul afterwards described it, "a Prussian regiment, which contains deserters from all nations," was cast aside, as unworthy and unfit for literary purposes. Latin was employed by the learned, while French was the language of courts and high society; and the literature of the country was modelled upon the showy, but lifeless, specimens, destitute of all internal feeling, all fervour and force of imagination, of the so-called golden age of Louis XIV.

A nation like the Germans, radically of so much native vigour and intellectual aspiration, however seduced by the

* Thomasius, born 1655, died 1728, who vigorously attacked the perverted taste of the day. He lectured at Leipsic in 1688, where he excited the indignation and virulent opposition of the cotemporary literati devoted to the then unnational system, by publishing the programme of his lectures in the vernacular language of his country; by his innovations in many of the vitious usages of the day; and his determined freedom of thought and expression. He deserves lasting honour for his exertions to procure the abolition of torture, trials for witchcraft, and other inhuman and ignorant practises of that time.

selfish policy and mischievous example of their aristocracy, and the glare and glitter of the hollow refinement of France, would not be content to remain in a position so degrading. The wise and patriotic citizen would lament to see how little respect for the individuality of the national mind, the root of all its greatness, such servility displayed. It would be a yoke which his spirit would loathe—a subjugation which would be torture to a free mind. Deeply would he feel with the poet,—

“ There is a bondage which is worse to bear
Than his who breathes, by roof and floor and wall
Pent in, a tyrant’s solitary thrall :
’Tis his who walks about in th’ open air,—
One of a nation who henceforth must bear
Their fetters in their souls——”

and against such a state of things every true German spirit would arouse itself, and struggle for emancipation. There were not accordingly wanting many authors, truly national in spirit and noble in purpose, who sought to resist this fatal domination, and introduce juster standards, and more free and enlightened aims. Among these were Spencer and the other pietists ; but not being recognized as philosophers, or persons of quality, who alone gave the tone to things, their exertions were almost ineffectual. The religious works of these men had this beneficial result : they nourished a taste for their own genuine and profound language, in all who loved their mother-tongue ; and, however objectionable to some the system they advocated, however pitied by the faithful, or smiled at by the rational, by leading the attention of the people to subjects connected with the spiritual and the eternal, they counteracted that tendency to the sensual and the finite, which was the contaminating result of the French literature and philosophy. Thomasius made use of his native language in his criticisms, in his monthly German discourses, and his lectures on reason and morals ; and handled all branches of philosophy in a popular manner. Confined and imperfect as was his philosophic scheme, and distorted and confused as was his prose style, intermingled with Latinisms and Gallicisms, yet his effort was one of the most cheering appearances of the time, in German literature. He loved his native tongue, and the unsophisticated modes of genuine German life ; and with a clear insight into the errors and wants of the social condition, he combined much wit and humour, and was, to no incon-

siderable extent, well qualified to take the field against the failings and prejudices of the age. He attacked the false, but fashionable style, "the glory of the literati, and their shame," contributed much to the preservation of the national character, embittered the triumphs of the learned champions of the adverse party, and incessantly directed public attention to the matter. From his time, German began again to be employed for literary purposes. Wolff did much, in his philosophical essays, to improve the structure and expressiveness of his country's language, and maintain its reasserted importance. Baumgarten, an acute and clear thinker, who wrote much on æsthetics, and to whom we owe the very term now so familiarized and serviceable, continued the struggle. The dull and pedantic Gottsched also did some service to this truly national cause, in condemning the disfigurement of the language by the use of foreign words, and opposing the taste for bombast in poetry then prevalent. His zeal for the purification of the German was of great use; and he at least perceived its genius, though deficient in the requisite talent to exhibit its powers in his own productions. But to Lessing, himself one of the most distinguished German authors, and whose language is a model of German prose, are his countrymen most indebted for the regeneration of their literature.

In the midst of the intellectual meanness, perversity and false taste, which then reigned, Lessing grew up. He vehemently rejected the yoke, boldly withstood the prevailing commonness of thought and style, vigorously attacked and discomfited the much-lauded French taste, and spread far and wide in his numerous writings the elements for the improvement of German literature. He sought utterly to annihilate the imitation of French errors. He looked upon the age of Louis the Fourteenth as weak and contemptible. The ancients he honoured from the very bottom of his heart, and earnestly recommended the study of them to his countrymen; but his admiration was grounded on a true insight into the nature and merits of the classic master-pieces,—while for the French perversions and improvements, as they were denominated, he had the most intolerant scorn. With all his reverence for the productions of the past, he was not one-sided, as he had a keen and just appreciation of the literature of England, Spain, and Italy, then but little known to Germany, so dissimilar from that of Greece and Rome; and laboured to introduce an acquaintance with its best works, as an antidote to the feeble and artificial exhibited by that of France,

and as specimens of vigorous thinking, lofty imagination, and pure taste. He brought the powers of a sound and enlarged philosophy, and an acute and forceful intellect, into play, in this endeavour. The effort was an arduous one for a single individual, however richly gifted; but the success was as great, or perhaps greater, than could have been anticipated. In his hands, the struggle, begun by earlier writers, who were the pioneers to his manœuvres, was finally successful. Mighty Germany,

“She of the Danube and the Northern Sea,”

saw the dawn of a national literature, breathing a language worthy of a great people, vigorous and supple as an athlete, distinct, majestic and impressive, and which, casting off the childish things which, in the moment of her weakness, had dazzled and corrupted her, promised to place her, at no distant day, on a footing with the noblest of European nations.

Of the intellectual wealth of this literature, as exhibited by one class of its writers—the poets—we do not now intend to speak. Goethe, Schiller, Herder, Tieck, and many others of the brotherhood of song, have earned a just and noble reputation; and we shall take another opportunity of directing our readers to their merits and characteristics. It is of some of her prose writers that we have now to make mention, partly because they are rated as writers of distinction by their countrymen,—because they are but little, if at all known, save by name, to the English reader,—and as they are striking examples of the vigour, fancy, humour, and originality of the German mind. The samples that we shall tender will not be the best perhaps of their respective bulks, as both time and space, as well as the nature of our vehicle, do not admit of the fittest selection; but they will not fail to convey a strong impression of the value of the stock from which they are taken, and convince the inspectors that the article is worthy of their further consideration. We moreover desire to convey some notion of the life and productiveness that the German mind displayed, when it threw off the gilded fetters of the French infatuation, and cultivated those talents which Providence bestowed for their own and others' elevation. War, commerce and adventure, are not the worthiest records of a people's activity; it is by its books only that the soul of a nation is best made known. They are the noblest and most engaging chronicles, and most adequately show how it lived, and moved, and had its being.

The *Iliad*, the dramas of Shakspeare, the *Paradise Lost* of Milton, the *Inferno* of Dante, the *Quixote* of Cervantes, will be monuments of the greatness of those lands where they were produced, and outlast tablets of stone or columns of brass. The pillars of Hercules are but a name; but "the blind old man of Scio's rocky isle" is of undying vitality—an immortal creature, a possession for ever!

We are further induced to proffer these specimens of German literature, as an erroneous notion has been formed, and disseminated by many, that its productions are of a stiff, pedantic, and obscure character;—that it is replete with contributions of misty metaphysics, subtle refinements, æsthetic jargon, and maudlin sentimentality. Of the despised metaphysics of Germany we will say, in passing, it would be well if England knew more. The unspiritual philosophy of Locke, and the flagrant morals of Paley, would cease to be the textbooks at her two universities; the teachers and expounders of their religious dogmatisms would be compelled to seek other sources of purer and more elevating character than these erroneous guides, and to abjure that "noble inconsistency" by which their conclusions are now made so awkwardly to square with their premises; her people would then be something more than a nation of shopkeepers. But this result we have yet to hope for, and we fear at no early period, unless some mighty event should strike and quicken the national mind, and raise it from that worship of prejudice, bigotry and mammon, which now engrosses it. To go back, however, to our German brethren:—the above conception of their literature is far from being in accordance with truth. Dulness, pedantry, and enigmatical darkness, is to be found among it, as among all other literatures, enough and to spare. A whole Dunciad of lesser men has not been able to eclipse the light cast upon the literary history of his country by one Pope. This unfounded conception is of long standing, and not confined to our own country. The Père Bouhours launched the adventurous and uncomplimentary proposition, "Si un Allemand peut être bel esprit?" The dialogue is maintained some time on this subject. The worthy father is strongly impelled to determine positively in the negative, believing a German bel-esprit to be a nonentity, a pure chimera,—but finally sums up thus: "C'est une chose singulière qu'un bel esprit Allemand ou Muscovite; et s'il y en a quelques uns dans le monde, ils sont de la nature de ces esprits qui n'apparoissent jamais sans causer de l'étonnement!"

Against this verdict we decidedly protest. In justice, however, to the worthy Frenchman, we are compelled to own, that it might be difficult to disprove his assertion by examples with which he could have been familiar; as the earliest which we intend to produce (Abraham à Santa Clara) was cotemporary with Bouhours in his old age. Had he lived to be acquainted with those specimens of German humour and vivacity which we hope to produce, we think he might with a safe conscience have retracted his sweeping censure.

Abraham à Santa Clara was born in 1642, in the Swabian village of Kräkenheim. His worldly name was Ulrich von Megerle, of a noble family so called. In his eighteenth year, he entered into the order of Augustin friars, became afterwards preacher in Bavaria, and finally court-chaplain at Vienna, in which capacity he officiated forty years; was appointed *definitor provinciae*, and died there in 1709. His works have all singular titles, somewhat in accordance with their contents, such as *Judas, the Arch-Scoundrel*; *A well-filled Wine-cellar*; *The Chapel of the Dead*; *A Shop for Spiritualities*; *An entirely new-hatched Nest of Fools*; *Wholesome Hodge-podge*. They are a real mine of wit, fancy, and humour; although, from a continual bantering play upon words, the homeliest illustrations, and an unrestrained vivacity of expression, they would be deemed offensive by the taste of the present day. These and his pulpit discourses are distinguished by odd, rough flashes of wit, grotesque but significant thoughts, and an intellectual activity that is most extraordinary. In these he does homage to whatever soundness of views was displayed by his age; while he chastises, with the most biting satire and indignant sarcasm, the vices and follies of his cotemporaries, particularly the court. In spite of his extravagant humour, and daring originality of expression, they are of engaging interest, as they are replete with a keen spirit of observation, and knowledge of human nature, "quips, and cranks, and wanton wiles," with touches of true eloquence, noble sentiments, and sweet and graceful fancies. His style, bizarre, energetic, and witty, was cleverly parodied by Schiller, in the well-known capuchin's sermon of *Wallenstein*. Discourses like those of the good Abraham à Santa Clara would be strangely received now-a-days; but we would willingly dispense with the narcotic drenches or the spiteful tirades so often endured, to have a dash of his liveliness and raciness, his honest detestation of hypocrisy and wrong-doing, and his warm-hearted love of mankind.

The following is an extract from his *Judas* ; which we present to the misogynist for his justification, to the old maid for her comfort, and to those about to marry for their consideration.

“ The confect which our first parents, acting like very step-parents, eat of, on which eating repentance followed, was, according to the statement of some divines, no apple, but an Indian fig, which even to this day is called Adam’s fruit. It is, however, little like the fig of our country, but quite round, and of an aspect of extraordinary beauty, as if it had borrowed the hues of the rainbow. When this fruit is plucked, there is found therein an accurate resemblance of the cross of Christ, with all the implements of the passion, which, verily, is to be marvelled at ; and this is the very same fruit of which Adam so inconsiderately eat. This fruit is an exact emblem of the marriage state, which, outwardly, has the appearance of being nought but sweetness ; yea, a very sugar-sphere, a honey-vessel, a heart-feast, a wine press of joys, a Kermes-box, a pleasure garden ; yea, a heavenly mouthful of dainties ; but, but, and again and again but—the interior does not correspond with the exterior, for inwardly, in the married state, nought is found but crosses and sufferings. Dear World-Ape,—excuse me, my friend, for conferring on you a title,—go forth with me in the pleasant season of summer, to enjoy the genial air ; there you will hear the many-toned flutings of the nightingale, the homely filing of the chaffinch, the quail with its resounding throat-clock, the cuckoo with its rustic forest-cry, the ousel with its popular waltz-melody, the lark with its ‘ Te Deum laudamus,’ the goldfinch with its *passarello*, &c. There you will behold the embroidery of the meadows, the silken-green tapestry of the sward, the abundant fruitfulness of the fields, the jocund dancing of the forest foliage, the happy resurrection of all earth’s productions, the marriage pomp of the wide world’s countenance ; go onward, and enjoy the golden tide to thy heart’s content : let us wander a little along the verdant bank of the purling stream, which flows towards us like a bright mirror in a verdant frame, and like liquid chrystal ; in this water we may see the beautifully painted clouds, the beautifully radiant sun, the beautifully blue cirque, the beautifully bright vault, the beautiful heaven. Thereupon, my dear brother, hast thou a yearning for heaven, plunge in, and, from delicate consideration for me, send a *staffetta* of what things come to pass in heaven. On which the other replies, that, in such a game, he takes care to miss his turn, as he would no doubt sink to the bottom. The very river would lose its name, and be henceforth called stock-fish sauce, in commemoration of his folly ; for in these waters was no heaven, only a mere semblance of it, and, verily, instead of tasting thereof, he would have but foul water to gulp, and his days would be cut short for ever. There are so many unad-

vised children of Adam, who, when marriage is spoken of, prick up their ears like the nag when he sees the haversack shaken ; their pulse beats when the least mention is made of a wedding. They deem the married state to be one of unbroken felicity, a pure heaven. Oh heavens, they are much mistaken,—it is but mere appearance ; there is nothing to be found therein upon which to lay any foundation, but foul water, affliction, and opposition.”

The following is a handful of gleanings which we have picked up, that will give some notion of the vigour of the soil, and the healthiness of the seed :—

“The sons of Lamech, Tubal and Tubalcain, were inventors, the one of music, the other of the art of working in metals. If these brethren dwelt in the same house, there must have been a sad noise and discordance. In the upper story sang Tubal, in the lower hammered Tubalcain ; above were the bellows for the organ, below for the stithey ; there resounded flutes, and here hammer-strokes and the rasping of files. Not unlike such a dwelling is the sinner who prays : in the upper floor music resoundeth from his mouth the praises of the Lord ; in the lower one—in his heart, sin is busy, with all its attributes ; above, hymns of praise are sung, below, there are sacrifices to Belial ; there the tongue chaunts with St. Cecilia, here the heart dances with Herodias.”.....

“Build thyself, like the fratricide Cain, a stronghold, and shut thyself up within it : nevertheless, the mute ‘who goes there ?’ (the conscience) will make thee tremble. All thy breastworks, bastions, bulwarks, towers, gates, avail thee not. The enemy is within the town—thou bearest him in thy bosom. Thou canst not save thyself by flight ; everywhere the dumb ‘who goes there ?’ calls to thee. Creep, like Caligula, under thy couch, shelter thyself behind the impervious shield of the godless Artemnon, withdraw thyself to a closed and well-fortified island, like the tyrant of Syracuse, the tongueless ‘who goes there ?’ is ever at thy side. Let thyself be enclosed within a chest, like the poetical tyrant Elearchos, yet thy eternal companion is again with thee,—dread, accusing, and abiding.”.....

“Beauty is like a flower—to-day before the bosom, to-morrow before the besom.”.....

“Friends are plentiful enough, but they resemble the sun-dial, that only yields its services so long as the sun is above the horizon. Friends are plentiful enough, but they resemble leeches, that only attach themselves until they are satisfied.”.....

“Of the Franciscans there is an innumerable host in heaven. The world, however, is mostly frankish ; heaven mostly Franciscanish.”.....

"As the night-violets in their retirement only open their chalices in the obscurity of night, and impregnate the air with their divine odours, so should man, as much as possible, only in secret deal out his benefits to those who need them.".....

"The dissolute seek pleasures, but when they have obtained them, they soon discover how miserably they have made their bed. The *Venus vulgivaga* delivers a lively prologue, but the epilogue is the more sorrowful that follows.".....

"Opportunity is the greatest thief,—a devil above all devils. It befools the wisest, enervates the strongest, pollutes the most modest, circumvents the most heedful, and corrupts the most saintly.".....

"We are poor starving wretches: let no one over-rate himself: whatever we have, is a possession we derive from some other source. If the earth required of us its metals, the sheep its wool, the silk-worm its silk, the ox its hide, the field its flax, how poor and needy should we stand there. But one little lamb has man, which grows up with him, eats with him, sleeps in his bosom, and is dear to him above all other things, or, at least, should be so. This is called *honour*—an honest name. This alone appertains to him. Meanwhile comes some one, and steals this lambkin from him—robs him of his honour. Must not this pain him? An honest name is the best of jewels, the best leader, the best treasure, the best of joys, the best of blessings.".....

"The poets represent Argus as a warden with an hundred eyes. What in this instance is but a fable, is truth in relation to God. God's eye is over all, watches over every creature.".....

"In Paradise, certainly, there was one happy man. His titles were, by God's grace, Adam the First, Mighty King of all earth's circle, Archduke of Paradise, Duke of Womanheight (*Frauenberg*), Count of Joydale, Lord of Cheerfulness, &c. He had a superabundance of all things, and a splendid court. The four elements were his chamberlains; the lion, the tiger, the stag, his servitors; the birds his orchestra; the raven was the *basso*, the ouzel *tenor*, the finch *alto*, the nightingale *treble*, the chaffinch played the violin, the magpie the castanets, and the woodpecker the cymbals.".....

"A library is an apothecary's shop, from which the most approved medicine may be obtained.".....

As one solitary example, however weighty, may not be sufficient to establish our demurrer, we shall proceed therefore in our roll-call of witnesses, and summon Christian Liscow into court. He was born in 1701. Of his childhood and youth but little is known. We hear of him first as

private tutor at Lubeck, in 1730. In this year he was appointed secretary to a public functionary in Holstein: some time after he resided at Dresden, where, in 1744, he was secretary to the minister Von Bruhl. This post, however, he was soon compelled to relinquish; as, by his satirical attacks, he had excited the enmity of many, particularly of the English minister resident there. We are sorry to hear this of our countryman, whose skin must have been of most morbid irritability and of singular extenuation. An ambassador should be as impervious to sarcasms and jokes as the rock of Gibraltar to a cannonading. After his departure from Dresden nothing is known of his movements: he died at Erterberg, in 1760, in confinement, it is said, for debt. He is superior to many of the satirical humourists of his country, in the energy and purity of his style and the ease and vigour of his language. His irony is most keen and well-directed, and his exertions were constant to sweep away the mass of folly, imbecility, and pestilent false taste that defaced the literature of the day. He is deficient, however, in an enlarged knowledge of human nature, and a correct judgment of the complicated relations of life. His writings have fallen into some neglect, as many of them were directed against dunces long since forgotten, and subjects which have now lost all interest. A collection of his works was published at Leipsig, in three volumes, in 1739: the best of them is an essay *On the Value and Necessity of Miserable Authors*; from this we shall give some extracts. He states that if the race of worthless scribes were extinct, the whole tribe of booksellers and printers must go a-begging, as they could not expect to gain a livelihood from the works of superior writers; as among the six thousand annually published, he had, after a very accurate investigation, been able to find only three of any merit. He then proceeds:—

“ Our enemies are fertile in lively and ingenious sallies. They have an active propensity for ridicule, and we are the parties who furnish occasion for their witticisms, and for the gratification of their censoriousness. How would it then comport with their health if we were defunct? What subjects would they find for their lively fancies? They must not believe that I am joking; for a suppressed joke is no child's play. It causes many pains and tormenting twitches; suppressed wind is not half so dangerous. One instance only has occurred in my life when I uttered a witty flourish, which, considered as the solitary joke of a despised and

miserable scribe, was tolerably clever. But I must keep it to myself, and the knowledge of the pangs its gestation and delivery caused me. I would not wish my bitterest enemy to experience them. If, then, a single joke, of which I was happily delivered at the proper time, caused me such distress, what would not be the sufferings of our meritorious writers, who are so fruitful in clever sayings, if we did not furnish them with occasions to unburthen themselves? Their flashes of wit and brilliant sallies would eat inwards to the heart; for Ennius long since declared to his contemporaries, that a sage would rather hold fire in his mouth than suppress a witty remark; '*flammam a sapiente facilius ore in ardente opprimi, quam bona dicta teneat.*'* Our enemies would therefore certainly burst if we were not in existence. Why, then, do they wish for our extinction, with which their own is so nearly connected? Let it be admitted, however, that it is possible they might survive us, the world would then have little more good of them. For we are the very persons who force from them their most ingenious essays, in which men so much delight. Where, then, would be found the subjects of so many excellent satires, if our opponents had no one whom they could ridicule? And what would not the literary and cultivated world then lose in us? It is true we cannot furnish it with meritorious writings, but the ancients have already remarked that, 'although the ass does not possess the best of voices, and is extremely awkward at music, men, nevertheless, are able to make the best flutes from his bones.'† And our efforts, however miserable they may be, are, nevertheless, occasions of so many profound refutations and ingenious lampoons, of all which the world would be deprived, if there were no one who wrote wretchedly and ridiculously.

"This is the smallest advantage that the world reaps from us, as this only extends itself to the learned and the enlightened. The benefits which we confer on the whole human race are of greater importance, and prove our necessity more strongly. We are those persons who crush reason and sound sense, which are so detrimental to the peace of churches and states, and the prejudices which are so indispensable to a peaceful, easy, and pleasant life. We defend antiquated notions, and purge Churches of heretics. It is true that our enemies do the latter also, but very rarely; and when they do so, it is achieved by rational arguments, and that is good for nothing. Without us, reason would prosper wonderfully in the world, and our foes would pervert everything. Who would have been bold enough to resist the dangerous innovations of a Puffendorff, a Thomasius, a Leibnitz, and their disciples, if we had not stepped forward to the breach? This alone is sufficient to prove how ne-

* Plutarch in Convivio, ex vers. Xylandri.
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† Cicero de Oratore.
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cessary we are to the world. Our merits are so great, that we deserve the reverence of all mankind; but, unfortunately, no one will recognize them. Men recompense us with ingratitude; and it has, alas! come to this;—that to ridicule us and our understandings, is considered an undoubted proof of an acute understanding. Nevertheless, * * * our grievous cross, which we only are capable of bearing, has its advantages also; and, I think, it is peculiarly fitted to place our necessity beyond all doubt. Our opponents, the authors of merit and talent, discover follies everywhere, or, at least, they imagine so; and it is impossible that they should not laugh at and ridicule that which appears to them foolish. If, therefore, there were no wretched scribblers upon whom they could vent their malice, no worthy man could be safe for them. They would, as they must always have something to censure, attack everything great and honourable in the world, and by their satires distress the peace of both Church and state. We may therefore boast, that we, in consequence, sacrifice our own well-being for the common good, and, without arrogance, say that we are indispensable to a state.

“I wish from my heart that all Christian rulers may take what I have written into mature consideration, and humbly beseech in particular his Imperial Majesty, and all electors, princes, and ranks, of the holy Roman empire, right-illustriously to conceive how worthy those persons are of their protection, who have so long served the state as a bulwark against a restless host of malaperts. The time, I think, has arrived that some remuneration for our important services should be thought of, or an effort to secure for us, in some measure, a cessation from the attacks of our enemies, and put a bit in their mouths. How have we deserved, that, although other respectable persons are protected from evil doers, we are delivered over to the wilfulness of our persecutors? We suffer for the security of others. I know it well. But why should we bear the sins of our fellow-citizens? I discover no reasonableness in this, and doubt not but that my judicious representations will have the effect that I desire. Should, however, the great ones of this world, misled by the pitiful chattering of our foes, presume that our miseries deserve not consideration, and are not of that magnitude as to call for the use of the temporal sword, then I turn to those who bear the spiritual sword, and implore them, most respectfully, to manifest the same zeal against the base proceedings of our opponents that duty demands. I do not expect this from the more able clergy, for these gentry are, to their disgrace, in combination with the mockers. But I shall be content if the duller portion will lift up their voices like a trumpet, and inculcate, with their accustomed eloquence, at least, to the common man, that it is a great sin to laugh at ridiculous things. They must not think that it is a difficult or an impossible thing to maintain so simple a proposition. I must inform them, and they may believe it, that Girard, in an essay,

which after his death was found among his papers, has established, with six hundred weighty proofs, that there are but few greater sins than that of writing a satire. I am so convinced of their ability, that I firmly believe they can accomplish more than this. I hope, therefore, that they will have the goodness to contend as boldly with their tongue, as I with my pen, against our foes, who are no friends of theirs.....

“What have I done then? I have told the truth to many wretched scribblers, laughingly, who suffered themselves to believe they were something which they were not. Is this so great a crime? I will believe it when it shall have been proved that Providence has taken this species of men under His especial protection, and given them the privilege of tormenting mankind with their silly writings, without other, and respectable, persons having the right of saying to these intolerable scribblers, What are you about? Let it not be said that a Christian should patiently tolerate such scribblers, for Christian patience does not impose on us insensibility. We capture fleas without it being deemed a crime, we take the life of gnats, we annihilate flies. The saint does so as well as the sinner. Why, then, should we make it a case of conscience to destroy literary vermin? Those who are blessed with so thick a skin that they are insensible to the bite of these creatures, are fortunate; but it is unbecoming in them to condemn those whom nature has provided with a tenderer cuticle. It is earnestly to be desired that men were more sensitive, and took more pains to free the world from these noxious animals. The grievance gathers strength every year, and I know not what will be the result. The enormous host of these wretched scribes is as fully qualified to introduce barbarism as the swarms of Ostro or Visigoths, and yet men hesitate about opposing their increase.”

Similar in kind and object, but somewhat different in quality, are the writings of G. W. Rabener, who vigorously maintained the contest for good taste, sound morals, and the improvement of the language and literature of his country. He was born of a highly-respectable provincial family at Wachau, near Leipzig, in 1714; studied afterwards at the university there; early distinguished himself for his enlightened views, lively wit, and active understanding, and won the friendship and esteem of all cultivated minds. He first appeared as an author in 1741, in a periodical work, and subsequently in the *Bremen Essays*, a work of much celebrity at the time. In this year he was appointed first to a responsible station in the tax department of the Leipzig district, then to a higher one at Dresden. He was most just, diligent, and exemplary in the discharge of his official duties, and

displayed so much wisdom in the arduous task of harmonizing the interests of the taxed with those of the state, that nothing was ever uttered against him save a sportive epigram by Kastner, which we hastily translate thus—

“ To ridicule, as well as fleece us,
Engages Rab'ner's two-fold wit ;
He makes the nation sigh and whimper,
While he doth ever laugh at it.”

In the bombardment of Dresden, in 1760, his house was destroyed, with all his furniture, library, and manuscripts. This, however, did not deprive him of that calmness and serenity of mind, arising from a happy temperament and resignation grounded on a sincere piety. In a letter to one of his friends he relates the circumstances of this loss, in a style replete with the submission of the Christian philosopher and the humour and fancy of a *bel-esprit*. It is some satisfaction to know that the peace which followed brought to him, with a restoration of his duties, a remuneration from his sovereign. We rejoice when they who are cheerful and virtuous themselves, and strive to make others so, participate in the bounty of princes. His writings are full of fine and varied observations, showing a deep acquaintance with men and their weaknesses ; painting to the life, with much freedom and vigour, their follies and errors ; but far from being impressed with any misanthropical sentiment, they breathe a most amiable gaiety, a firm love of mankind, and an unhesitating belief in their greatness and ultimate elevation. He was the intimate associate of Klopstock, and did much in the early part of the latter's career to protect and aid the awakening genius of his friend. He died of apoplexy in 1771. Several of his writings, like those of Liscow, had relation to more temporary circumstances, although many possess a more permanent and universal interest. To these belong his *Satirical Letters*, and his essay *On the Construction of a new German Dictionary* ; of which we shall now offer specimens :—

“ I solicit,” he says, “ the contributions of my countrymen for this dictionary. The work is too vast for my own powers. Perhaps I am too candid in making this admission. With those who refuse the title of learned to him, who has not published at least six folios, I shall sink into small esteem for this modesty. Be it so. When my dictionary is published, it will be seen whether these laborious creatures will continue to be denominated learned without doing violence to language. If it should be thought that,

in some instances, I have been too prolix, and have introduced subjects which transgress the purposes and limits of a dictionary, I am content rather to submit to this reproach than to cancel any part. I can point out an hundred articles in Bayle, which clearly prove that the title of the article stands there for the sake of the comments, and yet it is Bayle's Dictionary."

Then follows the words with their definitions. We select the term "eternal," with all its satirical and bantering explanations:—

"ETERNAL is a word which every one uses according to his own opinion, and as it is most advantageous to his interests. To vow an *eternal* constancy is commonly heard from the newly betrothed, four weeks before marriage, but this eternity ordinarily does not endure, at the utmost, beyond four weeks after it; and last autumn I was acquainted with a young bridegroom whose eternal constancy did not quite survive twenty-four hours.

"*Eternal* love is still more transitory, and properly but a poetical figure. Occasionally this is yet to be met with amongst unmarried persons, and it very much depends upon the female sex how long such eternal love shall last. For many know, from numerous examples, that such eternal love terminates as soon as the lady has ceased to be indifferent, and begins to feel an eternal antipathy.

"As with love, so is it very frequently with friendship. I remember being present in a society, where the bottle circulated freely, when three *eternal* friendships were outlived during the evening's sitting. When the parties are elevated, such eternal friendships do not hold together longer than the intoxication which begets them, for—*cessante causa, cessat effectus*.

"To conclude an *eternal* or perpetual peace is a Gallicism, and has the same interpretation in the French language as a truce has with us, and it is in fact a peace which lasts no longer than the parties see their advantage in maintaining it.

"To *eternalize* one's-self is, among literary men, a certain motion of the right hand from the left side to the right, which, without aid from the soul or the understanding, inscribes something on white paper, and afterwards transmits it to the printer. The keys of immortality are thus in the hands of the compositor, and they consist of certain little leaden alphabetical signs, which are smeared over with a dark-coloured material, and then impressed on clean paper.

"To aspire after *eternity* (*vide* Immortality) is a certain malady which is not only troublesome to the patient himself, but still more so to others. It commonly attacks young persons, abates in virulence with increasing years, but it sometimes happens that old men are attacked by it, in which case it is not only more dangerous,

but, which is the more insupportable, such patients cannot be cured. Violent remedies against it are not to be recommended, as the paroxysm thereby becomes more severe and convulsive; and in this particular those so attacked resemble crazy persons, whom we cannot venture to contradict without increasing the excitement of their disordered brain. The best remedy to be employed is, whenever such pitiable persons are met with in society, in spite of the very great obtrusiveness which is inseparable from, and a diagnostic of, this malady, the spectator should utterly neglect them, seeming neither to hear, to see, or have the least knowledge of them; by no means to mention their names, in fact to say nothing whatever respecting them, either good or bad. This *recipe* may be found serviceable. Physicians are not yet agreed respecting the specific causes of this disease. Some, on account of the extraordinary gestures which the patient exhibits, and as, like other epidemics, it recurs frequently and at certain intervals, consider it a species of falling sickness, as they have remarked, that if the right thumb of the sufferer is seized and twisted, the convulsions are checked, as is the case in that disorder. Others are of opinion that it arises from vitiated bile. Galen considers it nothing else than a violent *cardialgia*, and the deceased Hofmann, in the third chapter of his treatise on literary infections, denominates it the author-fever."

In this humorous style he runs through the definitions of several other words, such as *compliment*, *v oath*, *learned* (under this his last comment is, "a *learned* woman is a problem"), *enemy to mankind*, *enemy*, *foe*, *duty*, *understanding*; holding up to ridicule the imbecile imitation of foreign manners, the servility, the pedantry, want of patriotism, the corrupt administration of justice, and the cupidity of his countrymen.

In his *Satirical Letters*, among other evils, he attacks the shameful abuse of their patronage which the patrons of livings committed, in appointing to the pulpits of the Reformed Churches men who were unfit to tend the cattle of the parishioners. He protests against any misconstruction of his object, as in using the sportive language of satire he affirms that his only purpose is to disgrace the reckless patron and the incompetent parson, and to make those more venerable who are faithful to their duties and ornaments of their profession. For this purpose, in one instance, he gives us a letter from the colonel of a regiment to his brother, a provincial noble, and the application of the wretched candidate to the said colonel for his interest with his brother. The following is the colonel's epistle:—

"DEAR BROTHER.—I am very glad that thy old fellow has walked himself off at last. His confounded reproofs were interminable.

I wonder whether these fellows imagine that we give them preferment and bread, in order that they should preach to us every Sunday their bitterest truths, and send us all to the devil out of revenge. For the boors that is all well enough, and, if I were one, I should perhaps live religiously, as otherwise I should have nothing else to do ; but for men of condition, and us, who are the ancient gentry of the land, a sanctified drooping of the head looks extremely silly. If you had followed the directions of your old grumble-head, you would have become a worthy, pious, Christian citizen, and universally ridiculous to the whole *noblesse*. What think you, my dear brother, which is the more commendable, to take your nap during the sermon or over the drinking-glass ? Let the parsons pray for us, we will drink for them. Each one according to his calling. But after this fashion, you act like your cattle, said your old growler. Good ! Who knows if this be true ? If we profess to be the representatives of our forefathers, we must act like our forefathers. Devil take me, are there not yet whole nations who think something of their ancient nobility ? Every country has its own manners. A good, old, honest German must have little love for his fatherland, if he should visit France to learn to drink water. But to come to the main point ! You are in want of a new parson. I have to propose one to you that is an accomplished fellow. He has campaigned it about with me these ten years, as chaplain in my regiment, and he is just the sort of man I like. He has written to me, and begged me to recommend him to you. There, read his letter yourself. I part with him unwillingly. He is a man after your own heart. If you do not choose to frequent the church at all, he is not the man to grumble. Give him a good dinner twice a-week, and you will find him as gentle as a lamb. You will have fine fun with him. He will drink you, and all your right honourable and noble guests, under the table, and when he has cast off his canonicals, he will swear like a corporal. Take him, my dear brother, you will not repent it. He has not studied at all, but I'll be hanged if he will not preach to you after a fine fashion, and the hypocrite stands as sanctified in the pulpit as if he were about to take flight to heaven. My Catharine liked him extremely. Now brother, as I say, take him. As far as he is concerned you may live any life you like, and if you should drive to the devil to-day, to-morrow he drives after you. He is a jolly fellow. Greet thy people for me. Adieu."

Then follows the letter, referred to by the friendly colonel, of this precious candidate for the cure of souls ; establishing, past all dispute, the character and qualifications stated by his noble commander :—

" **MOST WORTHY COLONEL.**—There is an incumbency vacant in

the gift of Herr ——, and I should very much like to have it. Catharine tells me that you are on the best terms with him, and can easily procure it for me. I am tired of a wild life, and earnestly desire to have a flock and a wife of my own. Have the kindness to interest yourself for me. I have heard that the old clergyman lived on the worst of terms with his patron, but the fault was his own. I know how to deal with gentlemen. If he gives me my due he may live as he likes. You gentlemen are not made more religious by grumbling and preaching. You are too elevated in station for you to live a devout and Christian life to please us, and, between ourselves, little results from the continual pother. Increasing years work great changes. It is sufficiently annoying when men of condition are in attendance at court, and compelled, for a couple of weeks, to live seemly : must we in addition sour their lives when they are with their regiments, or residing at their country-seats? I know the world better. Drinking and such like are the only means, independent of your rank, by which gentlemen of your station are distinguished from the common rabble. Excuse this pleasantry,—I speak as I think. You know me before to-day. In one word, most excellent Colonel, get the incumbency for me, or, upon my soul, I will never drink another glass of wine in your company. In the hope of this, I remain, with all esteem, most gracious Colonel, &c. N. ——, Chaplain."

This satire may seem unduly severe, as it will be doubted if German society, at that time, exhibited a malady so lamentable as to call for such remedy. The grievance, however, was extreme, and of frequent occurrence; requiring unsparing vigour in the treatment. Rabener felt, like every patriotic and right-minded man, that clerical functionaries so base deserved no mercy. An unjust king, a disloyal liegeman, a faithless advocate, are dishonest and contemptible beings; but the falsest and most despicable of all things, is a false priest, who should be held up to universal scorn and reprobation. He lived in an age in which the specific evil was rife; he had a painful experience of the moral corruption of his time; and, recognizing his duty as a satirist, dealt with it as it deserved; which was to exhibit in the most striking manner the deficiency of the actual, not only, thereby, shaming the backsliders, but necessarily suggesting the ideal, the highest reality, as a contrast and a true means of working prevention and rectification. To satirize the evil does no dishonour or detriment to the true and the good; on the contrary, it elevates and strengthens it, for by an inevitable association it is presented to the mind in all its purity and excellence, which instantly offers it the homage of its earnest

reverence. Who can read this witty and bitter sketch, without having the image of the true churchman, the faithful pastor, presented to him; of him whose doctrine and conduct teach the fear and love of the Being of all beings; of him round whom a Christian combination of the august and paternal sheds a most beautiful and engaging light; who, in all his actions displaying purity of soul and innocence of heart, exhibits himself as a genuine child of God for the edification of all men. Oh heavenly task! Oh felicitous duty! To bear the charge of the everlasting gospel to all men; treading among the world's miry ways with feet sandalled with truth, more glorious than the diadems of Asian kings; with hands laden with precious balm for all the soul's dire woes and maladies; severed from earthly ambition by the happiest of destinies; endeared to the lowly by his consolatory commission, honoured by the lofty for his power and dignity; strengthening the weak, solacing the broken in heart, "proclaiming liberty to the captive and the opening of the prison to them that are bound;" restraining the strong, reproaching the sinful, sustaining the penitent; teaching to sovereigns, with authoritative voice, justice and mercy; to the noble, "that gentillesse cometh from God alone;" to the burgher, that he has to keep watch and ward over a celestial city; to the peasant—on whom the misrule of proud and worldly men presses so sorely—cheerfulness and content; unto all, love, peace, and joy, faith, hope, and charity, and all spiritual graces, the gems of that crown which alone should adorn the brow of the Christian. That he who is honoured by this high and weighty calling should lower his soul down to the vices and foul pleasures of sensual life, is an abdication that must awaken the indignation and call for the chastisement of every virtuous man. The pen is then rightly employed as a scourge, and should be wielded in a stern and inflexible spirit; and the guilty recreant should be made to feel that it is sharp as a serpent's tooth or scorpion's sting.*

* Before quitting the subject of Rabener's writings, we may mention that in the second volume of "the Friend," pp. 315-319, of the edition of 1818, Mr. Coleridge has copied, *verbatim*, with the exception of some of the names (which he has changed to give it a greater political application), the story of "Irus and Ceraunius," as it will be found in Rabener's works; and, so far from intimating that he has borrowed it, he calls the reader's attention to the circumstance that it was "*written and first published at the close of 1809.*" Much has been said of the plagiarisms of Coleridge, and in the observations made by his friends, in

From Rabener we pass to one whose works alone do much to establish the claim of our German friends to have the verdict of Bouhours reversed; to Theodore Gottlieb von Hippel. He was born at Gerdauen, in East Prussia, in 1741, where his father was rector of the public school. To him he was indebted for his earliest knowledge of languages and the sciences, as well as many peculiarities which he afterwards displayed; his love of solitude, his mode of study in his youth (lying, as he himself states, whole weeks in bed, in order to give an uninterrupted application), his mysticism and his notions of the spiritual world. In his fifteenth year, at his father's desire, he devoted himself to the reading of theology, philosophy, and mathematics, at Königsberg. Here he acquired the friendship of a Professor Woyt, with whom he resided as companion and tutor to his son. His intercourse with this person, a scholar and man of the world, was particularly serviceable and instructive. In 1760 he accompanied a Russian officer of rank to Petersburg. This introduction to the great world gave birth in him to new ideas, plans, and desires, which had a decisive influence on his future life. Here favourable prospects were opened to him, but his attachment to his native country, an ardent love of knowledge, and a philosophic and contented mind, induced him to return home, after a short sojourn, where he accepted the office of tutor in a noble family. He soon after strenuously applied himself to the study of jurisprudence, a taste for which had been enkindled in him by Professor Woyt. The hope of attaining a distinguished sphere of action, combined with wealth and station, was long nourished by him in solitude. His attachment to a lady of property and distinguished family, so irresistibly increased this, that in 1762 he relinquished his duty as tutor, and, overcoming all the obstacles which his poverty and want of connexions interposed, with incredible sacrifices and extraordinary zeal, entered upon his

relation to those pointed out by Mr. De Quincey, we think they forgot what was due to the latter, both as Coleridge's liberal critic and most sincere and munificent friend. We yield to no one in the deepest admiration of Coleridge's genius, and the acknowledgment of his vast powers; we loved him as a man, and venerated him as a sage; but nevertheless we declare, that with a knowledge of his productions, it is impossible to read to any extent in German literature of the last hundred years, without discovering the numerous unavowed instances in which he has been indebted to many of its writers. With his great and original mind this fact is difficult to be accounted for; but without fear of disproof, we do not hesitate to affirm it.

legal career. From this time he became publicly known, as a man of great talents, unusual perseverance, and practical ability; succeeding in all that he willed and undertook. He gratified his ardent desire for honour and wealth, obtaining both. He gave up his union with the woman he loved, and lived single all his life; that, in that independent state, he might apply himself with undistracted mind to his beloved studies, and be able to pursue the plans of public and private utility which he had formed. He rose to a high rank in his profession, after passing through various offices, in all of which his judgment, expertness, activity, and rectitude, were conspicuous. Late in life he obtained from the emperor a renewal of the nobility of his family, as a means of facilitating the advancement of his children, as he called his nephews, in the military profession. He died at Königsberg, in 1796, aged fifty-two.

The events of his life, for about the first twenty years, are to be found beautifully detailed in an autobiographical fragment left behind him at his death. The remainder he intended to have finished, of which many detached portions were found among his papers at the time of his decease.

Nothing was common or ordinary in the man. With the excellencies ascribed to genius he also possessed many of its faults; with a vigorous and enlightened understanding were combined in him a proneness to fanaticism and superstitious weakness; piety, pushed at times to bigotry, and an intense inward love of virtue and duty, with frequent surrenders to sensuality and worldliness. His enthusiastic feelings of friendship did not exclude his premeditated withdrawals from those who appeared most dear to him. A warm-hearted humanity was associated in him with despotic severity; a passionate love of nature and her simplicity, with artfulness in his actions and demeanour.

With all these extraordinary contradictions and deficiencies in the man, it is not our present purpose to interfere. The spiritual and animal faculties were of singular force in him; and against his evil inclinations he struggled with a strong, if not always a successful, will. We are not to judge him. The soul of the man was by nature lofty, noble, and clear; a brotherly love of mankind, a reverence for God and the godlike, a thorough appreciation of all the graces that make up the Christian character, a piety the most winning, a zeal for virtue and the elevation of humanity, united with a

fulness of worldly knowledge, profound and original ideas on man, nature, and society, and with a rich vein of humour and wit, are to be found in his writings.

The most celebrated of these are two novels, the *Lebensläufe*, and the *Kreutz und Querzügen des Ritters A—Z*. In the first, many events of his own life, and of those of his friends, are represented; and it abounds with sketches of the rarest idyllic beauty and most touching interest. In the latter—now in sportive, now in severe, irony—he ridicules the pride of nobility, wild fanaticism for liberty, eagerness for the formation of secret societies, and trading in mysteries, of his day. In both is to be found much that reminds us of the sweetness and tenderness of Goldsmith, the humour and pathos of Sterne, the wit and mockery of Swift, the fancy of Bunyan, the knowledge of Fielding, and the inward life and spiritualism of William Law. Next to these is his book upon marriage, *Über die Ehe*. A full and systematic treatment of the subject must not be looked for in this work. It is rather a collection of fine, humorous, and original observations, ideas, and paradoxes; the result of the experience of an acute and philosophic observer of mankind, put forth in the liveliest garb, plentifully besprinkled with the laughing flowers of wit. His other writings are a treatise on the *Bürgerliche Verbesserung der Weiber*, some dramas, spiritual songs, and several treatises on questions of jurisprudence, of considerable merit and originality. All that he wrote appeared anonymously, and so strictly was the secret of the authorship (known only to two confidential friends) kept, that they were ascribed to several distinguished men of the day; among others to Kant. Several incomplete dramas, sketches of romances, and other materials, to be interwoven in future works, were found among his papers; of which only the delightful biographical fragment before-mentioned has been published. It is no slight recommendation of his works, to say that they were the delight and the study of Jean Paul Richter; and the extent to which they influenced the style and method of the latter, will be instantly perceived by the reader who is acquainted with the productions of both these original men. Hippel himself noticed it; for when the *Invisible Lodge* of Jean Paul (the work which first established his reputation in Germany) had been perused by him, he said, in returning it to a friend, "He is either a son of mine or we are brothers in authorship."

From his book on marriage, many times reprinted in Germany, extremely popular there, and deservedly so, from its wit and its wisdom,—in which he declares that “neither sex has the least worth without the other, but united they make up the complement of humanity,”—we make the following extract: it is addressed to the softer sex on the choice of a husband:—

“Which of you desires to have a learned man as your husband? You, perhaps, sweet sprightly maiden. Well, then, play the illiterate. Read nothing yourself, or if you should have read much, act as if you had not done so, but listen complacently. If you must converse, entertain him with little tales, and mere simple stuff. The gossip of the town can do no mischief, but there must be something grotesque and piquante in it. Play some street melodies, or strike up such common airs as ‘Our mother has geese.’ An astronomer, I know, will as little suit your taste as a night-watchman; but, between us, why select a learned man?

“Will you have one who lives expensively? then marry an able and dexterous man who has no means, but who will be able to acquire wealth without extraordinary difficulty. All *great* impediments only make such persons covetous, and if they have once paid homage to the idol Mammon, they sacrifice every thing to it. However, it is generally better to marry some one who has the prospect of becoming rich, than one who already is so. Well earned possessions are better than those inherited. Be careful, however, to obtain, during his life, a provision for your widowhood, otherwise, at his death, you would be the laughing-stock of the whole city.

“Will you have rank? I pity you. The very best of colours suffer from the sun. Not only are the keys of St. Peter’s said to cause men to go bent before they are picked up, but all people generally stoop who seek something. A man who is conscious of his own superiority holds it unnecessary to receive honour from others, and unseemly to seek such attention. One greedy for honours cringes before those above him, and considers all that are equal to him, consequently his dear helpmate, but as dependents; those who are inferior as slaves: if a countess looks favourably on him he can deny her nothing,—to please a princess he would hang himself.

“Is a rich man your object? A girl that marries a young man only on account of his wealth, cannot fail to degrade herself; if she marries an old man, she has hired herself to him as his servant. Children destroy everything; people of years, or old children, are saving in all things, and wish, if possible, to immortalize every possession. If you reside in a palace, you occupy but one room, the remaining chambers are for others. If you secure riches, who

will guarantee you against avarice or extravagance? In one case you mount guard, in the other you go a-begging. A trivial circumstance oft changes the temperament, and, as consumption may terminate in dropsy, so may a profligate be converted to a niggard.

"Will you have a poet? An extraordinary question! I have nothing to object to a poet, but, believe me, in the married state, sound healthy prose is better than poetry. Difficulties in love turn people into poets * * * A poet has no existence but in the realm of imagination, and marriage is right well fashioned to clip the wings of the imaginative power, and to bring us down to earth. The history of Pygmalion who loved a statue, and Narcissus a shadow, are no recommendations of persons who exist only to give indulgence to their fancy. Poesy is like alchemy, which ennobles the metals. If the poet makes good verses, he has, you may be sure, some maiden in his eye; a poem on his wife will not speed him, unless upon her death. The wife, nevertheless, acts wrongly in being jealous of her poetic husband; unless his imaginative power is on the stretch, he is inactive, and a mere bungler. Some inspiration he must have; but this inspirer need not be more than ideal; and need not justify the smallest jealousy. The most common things, even his mother-tongue, he is ignorant of, if his fancy be not enkindled. From his poetic vocation, he has accustomed himself to this, and no falling-off need be feared, as a consequence of this, in any of his customary operations. Why then, my dear lady-poetess, would you compel him to ride without spurs, and to spend a whole day on one road, which he may sicken of in an hour? To write prose generally signifies to journey often with six, oft with four, oft with two, sometimes in an open carriage, sometimes in a common cart: poesies is on horseback. He who cannot count syllables is but a small light among the equestrian order. It is said of many of these gentlemen, that when the horse does not prance high enough for them, they would mount aloft in the gondola of an air-balloon. Without doubt, Pegasus must disapprove of such poetic licenses. Bucephalus and Pegasus yoked together, and lord knows who in the chariot,—that would be a journey! Between us, madam, all the excesses of that darling of the nine sisters, your husband, however evil they may appear upon paper, are but nonentities, mere poetical figments."

With respect to places of residence, he says:

"Great cities are for lovers a purgatory, for the lofty thinker an hotel, for the ignorant a theatre, for philosophers a sepulchre, for witlings a lecture-room, and for physicians (*dat Galenus opes*) a pest-house or a mine."

The following is a humorous description of the criterion

to be used by parents, to ascertain the capabilities of their children in works of prose or verse :

“ Wouldst thou know, respected friend, whether thy clever son will gather palms in prose or in verse ? *Recipe*;—a glass of physic, of which sixty drops are to be taken every hour, in any liquid one chooses. Let him measure himself this prescribed quantity, and if he let them run, drop by drop, he is a broken-winged prosaist ; if he lets them flow freely, and counts during this shower, one, two, three, to sixty, he is a poet. If he can eat immediately with the spoon, into which he has counted the sixty, he will be able, if he and the public will, to write *methodo-mathematica* ; if, however, for twenty-four hours he cannot bear the sight of the spoon, then he will be a lyrical writer ; should he not be able to use the said spoon for six days, without a cold shuddering, educate him accordingly, and, if fortune be favourable, he will become a Homer.”

In this work are scattered some fine and original thoughts on education, remarkable for their keen insight, their practical worth, and their cordial humanity. In fact, from his various writings a *cento* of profound and invaluable truths on this momentous subject, this finest of the fine arts, might be selected, worthy of becoming a manual to all who take an interest in it. We select at random the following, as specimens :

“ There was a time when teachers did nought but punish or caress, soothe or manœuvre, and called these alternations education. The human being is not destined to extremes,—such festivals of joy and periods of lamentation,—but to the daily bread of ordinary life and steadfastness. Posterity will not be the first to garner in the benefits of this education-chemistry ; the advantage has already exhibited itself here and there, and it is in the very nature of the thing that it should reveal itself immediately. We use the body for action, and man is born for action, and education requires tongue, heart, word, deed, and truth.”.....

“ He who teaches the child only to command and not to obey, has neglected it. He may perhaps have instructed it for the duties of a prince, a noble, a citizen, a peasant, but not for that of a man. Only by self-denial, by labour in the sweat of his brow, by heartiness, by respect for others and their rights, by contentedness with what God has given him, and a firm renunciation of all that the juggling fancy presents as necessary, and, by a wise and Christian enjoyment, will man find life endurable, and learn, above all, that humanity is not an alien thing.”.....

“ Educate the child, I pray you, not to fulfil the offices of youth, middle life, or old age, but of the *entire man* ; not for the fragment-

ary but the Catholic, the complete.* Teach him those methods by which he may be able to discipline himself, principles which are eternal and unchangeable ; occasionally resign him, in certain cases, to himself, for soon you will be compelled to resign him entirely to his own control, and how sad would it be if he possessed a knowledge of all other things, but none of himself. Exact not a formal display of positive virtues, but from the first endeavour to preserve the soul of the child pure and uncorrupted by ignoble passions ; all good qualities will then spring up within him, without your cooperation, and his heart will shut itself against all selfishness."

The jury we have empanelled in the cause of Bouhours versus German wit, begins, we trust, to be satisfied with our defence ; and we hope that the plaintiff's advocate has ceased to look for a verdict. Before, however, we close the defence, although the evidence may be superfluous, we shall take the liberty of calling one more witness, who, in combination with those already cited, will destroy for ever, we think, the libel, "pleasant, but wrong," launched against our German friends. One powerful testimony, our much-loved Jean Paul, we leave unsummoned, for certain reasons,—who would have been something more than Cerberus, "three gentlemen at once," but equal to any threescore of the very best French wits that ever enlivened either drawing-room or duodecimo. The last that we shall introduce is George Christoph Lichtenberg, born in 1742, at Oberramstädt, a little village near to the town of Darmstadt. He was the eighteenth and youngest child of his parents. His father resided some time as pastor of the place, and died subsequently as superintendant-general at Darmstadt. Until his eighth year, our young Lichtenberg possessed a well-shaped person, and good health ; at which period a spinal distortion, the result of some accident in nursing, showed itself, and rendered him humpbacked for life. This mischance not only affected his bodily shape, but had a powerful influence on his health, which was henceforth continually deranged and unsettled. From early youth he devoted himself to the acquisition of physical and mathematical science with ardent zeal, and laid the foundation of that knowledge which afterwards so eminently fitted him for that scientific and literary career in which he

* "Remember still
Thou must resolve upon *integrity*.
God will have *all* thou hast, thy mind, thy will,
Thy thoughts, thy words, thy works."

pre-eminently distinguished himself. In 1763 he went to the university of Gottingen, where, with the most unwearied diligence, he applied himself to the whole circle of studies pursued there. In 1770 he was about to accept a professorship at Giesen; but at Gottingen, where the merit of the young student was recognized and appreciated, an extraordinary professorship was offered to him, which he accepted. He subsequently accompanied two young Englishmen of high family to England, where he became acquainted with many celebrated men, particularly with those to whom the tendency of his scientific pursuits would bear him,—namely, the great mathematicians and astronomers of his day; and had the honour of being presented to George the Third. His sojourn in our country was not of long duration; but his love of England, her literature and learned men, induced him again to visit it, a few years afterwards, where, among the many additional friendships he formed, not the least interesting were those of Sir Joseph Banks, Johann Reinhold Foster, the companion of the celebrated circumnavigator Cooke, and his son, George Foster. The next year, with much enlargement of his intellectual acquirements, he returned to Gottingen, and in 1788 he had conferred on him the dignity of Hofrath. Here he entered upon an active discharge of his official duty; his lectures upon experimental physics were of most distinguished merit, and his apparatus for operation and illustration was princely. His vigorous and original intellect, applied to the consideration of physical subjects and matters of scientific comprehension, had the most beneficial result in enlightening and advancing these studies. But not to subjects of such abstract and philosophic character was his activity confined. He soon became involved in learned controversies, in which he brought the force of his vigorous and peculiar humour, and keen wit, to bear in such a manner, as always to come off triumphant. Amongst others, he attacked the new physiognomical views of Lavater, then making much noise in the world; in which, if the argument was not always on his side (and it was rarely that it was not so), the laugh never failed to be. In a multiplicity of minor essays and fugitive writings, scattered in the *Gottingen Magazine*, and other similar works, such as his “Patriotic Contribution on the Methyology of the Germans, with a preface on methyologic study, or the art of getting drunk;” “On the particular estimation of women among certain

nations;" "On Christian names—a contribution to the history of human follies;" "On the varieties and uses of cudgellings, ear-boxings, and thrashings, among divers nations;" "Consolations for those unhappy ones born on 29th February;" "Speech of the Number 8, in the last day of the year 1798, at a grand council of all the numerals," when "the cipher, as usual, was in the president's chair;" and many other writings of similar character;—but, more than all, by his admirable commentaries on Hogarth, he has acquired a conspicuous place among the humorous authors of Germany; and his productions of this class are ranked among the foremost in his countrymen's estimation. In the latter years of his life, from increasing bodily distortion, and the derangement of his health, this able man suffered much from attacks of hypochondriasis, so that he almost entirely confined himself to his chamber, and, except the society of a few confidential friends, lived apart from the world. A series of nervous attacks continually tormented him; fancies and notions the most absurd and extravagant, which, like Nicolai, a similar sufferer, he felt to be delusions, and which present to the psychological and physiological enquirer a most singular case. Of these a detailed account will be found in a biographical sketch which he published in his lifetime, entitled, *The Character of a Person of my Acquaintance*. These so completely destroyed all healthful functions, as to shorten the career of this original-minded man, and led to his death in 1790, in his fifty-seventh year.

Sickly and deranged as might be the outward frame, the soul of the man nevertheless was sound, vigorous and aspiring, as a forest-tree. In him were united a keen speculative understanding, with a reverence for the supersensual; great powers of humour and irony, with a loving respect for humanity, and a confidence in its essential nobleness; scientific ability, with poetic feeling; and faculties of such opposite tendency were so melted together in him, as to present an interesting and many-sided unity, worthy of study. Not artificially, by gathering and reminting other men's jokes, but as the result of an original individuality, he stands distinguished among German writers in that mysterious but fascinating mixture of playful wit, capricious satire, and deep feeling, which we call humour, and which is much more easily recognised than philosophically defined. Truth, above all things, had a preciousness for him; and in his works he

shows himself to be a man whom no new view appals, but who resolutely and honestly sets himself to work, in a praiseworthy spirit of acuteness and justice, to sever the real from the seeming, the veritable from the false.

His detractors have described him, but unjustly, as a mere imitator of Swift. There is much in him that reminds us of the witty dean; in Lichtenberg, however, it was no imitation, but a genuine idiosyncratic affinity; and he has manifested, particularly in his essays on Hogarth, an appreciation of the deep truth and living nature exhibited in the graphic poetry of our immortal engraver, a warmth of heart, and an earnest healthy humanity, that places him in a very advantageous position, in comparison. On the subject of Hogarth, we may observe a stronger resemblance in Lichtenberg to our Charles Lamb, the "gentle-hearted Charles," "alike, but yet how different!" And we may safely declare, that finer commentaries than those of Lichtenberg and Lamb, on these undying productions, have not been written, nor is it very likely that they will ever be surpassed.

We should be much pleased to exhibit to our readers specimens of these illustrations of Lichtenberg; but to do so effectually would demand too much of our space, and we must therefore content ourselves with laying before them the following specimens from his *Remarks on Divers Subjects, Religious, Political, Moral, and Literary*. An edition of his collected works, in nine volumes, was published in Germany in 1805.

"If I should ever write a sermon, it should be on *the power of doing good*,—a faculty which every one possesses. We should be unhappy creatures if the emperor alone had the power of doing good. Every one in his position is *an emperor*.".....

"Would but that one-tenth of the religion and the morality which we find in books, existed in our hearts.".....

"There is something in the character of every man which cannot be destroyed. It is the osseous frame of his character. To seek to change this, is to attempt to bleach a negro.".....

"I am astonished that cats have two holes in their skins exactly at that place where their eyes are.".....

"We ought not, ordinarily, to trust a man who, in asserting anything, always puts his hand upon his heart.".....

"How happy would many men be if they occupied themselves as little with the affairs of others as their own.".....

"There are really many persons in the world, who read on purpose that they may not think.".....

"There is no man in the world who, having become a scoundrel for a thousand dollars, would not have remained honest for half the sum.".....

"I lodged at H——, in a situation which commanded a view of a small street, that formed a communication with two great ones. It was amusing to notice the change of mien and action in those who passed; how much more they seemed at their ease when they entered the small street, where they supposed themselves less subject to observation. One drew up his stockings, another laughed, a third drooped his head. The young women were thinking of the preceding evening, and smiled; while some of them arranged their ribands, and made a species of toilet, for the conquests they expected to make in the great street.".....

"If physiognomy become what Lavater anticipates, they will hang young children before they commit those offences which would make them worthy of the gallows. In fact, every year, it will be necessary to hold a new species of confirmation, a physiognomical *auto-da-fe*.".....

"It is singular, and I could not, in remarking it, avoid smiling, that Lavater discovers many more things in the conformation of the noses of our present authors, than the rational world does in their writings.".....

"We ought to investigate profoundly the causes which so commonly produce flowers without fruit; and that not only with regard to trees. The same thing occurs with our learned children; superb flowers, but no fruit.".....

"There, perhaps, never was a father who did not consider his child as something entirely original. I believe, that amongst parents, the learned are most exposed to this error.".....

"If chance did not interfere so much with our education, what would become of the world?".....

"I would give something to know for whom those actions have really been done, which it is publicly said have been performed for our country.".....

"There is a certain country, it is said, in which a particular custom prevails. The sovereign, as well as the ministers, are bound to sleep on a barrel of gunpowder as long as the state is at war, and that in the chambers of the palace; and so arranged that every one may see that the night-lamp is not extinguished. The barrels are

sealed, not only with the seals of the deputies of the people, but they are attached to the floor with leather bands, which are also sealed. Every night and morning the seals are inspected. It is said, that for a long time that country has not been at war!"*.....

"They pretend that, for the last five years, no one has died of joy in our land.".....

"It is an opinion somewhat received in Germany (thank heaven, however, only among young persons), that a man should understand the subject thoroughly, upon which he has to write at length. It is quite the contrary. Those persons who do not think, and who write only in order to write, do not know, fifteen days after, what they have written. Heaven preserve us from such writers; but, unfortunately, they are the most common.".....

"That which is opposed to the glory and immortality of such writers, (an obstacle more to be feared than the envy and malice of all the gazettes and critical journals together), is this unfortunate circumstance,—they are obliged to print their works on the same material which serves to *enwrap pepper*.".....

"There is no merchandise in the world so singular as books. Printed by persons who do not understand them, sold by persons who do not understand them, bound, criticised, and read by those who do not understand them, and often written by persons who do not understand them.".....

"I am astonished that no one has ever written a Bibliogeny—a didactic poem, in which might be described the origin, not so much of books, but of a book, from the very springing of the flax seed until it is placed in the library. Many most amusing and instructive things might be said upon the subject. The derivation of rags, the manufacture of paper, the rich stores of waste paper, printing, how one letter is used here to-day, there to-morrow; then how books are written (here would be an ample field for satirical display); then would follow the binder, the titles of books, and finally, the *cornets de pivoire*. Each of these subjects might make a canto, at the commencement of which there should be an invocation to the spirit of an author.".....

"A philosopher, somewhat impertinent in joking (I believe it was Hamlet, prince of Denmark), has said somewhere, that there were in heaven and earth many things not found in our philosophic compendiums. If this good young man, who, all the world knows, was a little cracked, intended to make any allusions to our treatises of natural philosophy, we might boldly reply to him, 'That is true;

* We should recommend the adoption of this custom to our French neighbours.

but, as a set-off, how many things are there to be found there, of which there is no trace in heaven or on earth.".....

"If any one left, by will, ten thousand louis d'ors to the greatest rascal in Germany, I should like to know how many claimants there would be.".....

"The skin of man is a soil upon which hairs grow. I am astonished that a method of sowing wool upon it has not yet been discovered; it would be more profitable, as men might then be shorn.".....

"Condamine relates that he met with apes in America, who imitated all his operations. They ran to the clock, then to the eye-glass, then they pretended to write. We have many of these philosophers.".....

"Oh yes, Doctor — was a most worthy man; he visited everybody, great and small, were it even at midnight. One might say of him, as of the physician in ordinary of the Emperor Augustus, '*Æquo pulsat pede pauperum tabernas regumque turres*.'".....

"Among those great discoveries which the human mind has made in modern times, the foremost, in my opinion, is the art of criticising books without having read them.".....

"If it happens sometimes that a man is buried alive, there remain, in revenge, a hundred on earth who are already dead.".....

"When the Goths and the Vandals took it into their heads to make their grand tour in Europe together, the taverns in Italy were so full, that no one could be heard; often three or four of them were ringing the bell at the same time.".....

"When any person in Cochin China says '*doji*' (I am hungry), people hasten immediately to bring him something to eat. There are certain districts in Germany where a poor devil may exclaim twenty times, 'I am hungry,' and which would be of as much service to him as if he said '*doji*.'".....

"I have had the journals of last year bound. I have tried to peruse them again; a most tiresome experiment. Fifty instances of false anticipations, forty-seven of false prophecy, three of truth. This perusal has very much diminished my estimation of the gazettes of this year; for what the latter are, the former were also.".....

"In the system of zoologists, the monkey ranks next to man, although at an immense distance. If a Linnaeus were to classify animals according to their happiness, or the advantages of their condition, there are many men who would be placed below dogs of the chase and coach-horses.".....

With the favourable conclusion which will be drawn from the evidence that we have adduced, and the reference to the

other written testimonies which we have named, we shall let the case go to the jury of our countrymen, without the usual artful appeal of the pleader, which too often is a tissue of falsehood, blandishment, and sophistry, seeking rather the winning of a cause, than the establishment of any great principle of truth, justice, or public virtue. It will be well if they make themselves fully acquainted with that mass of proof which we have pointed out: friend Bouhours and the calumniators will then have the verdict against them, and they will themselves have acquired indubitable conviction that the literature of Germany, however short of perfection and completeness, is one of which that country may be proud; which other nations, in many of its qualifications, would do well to study and to emulate, as the production of an able and original people, destined to produce a large and important influence on the intellectual condition of the world.

The day of national bigotries and national antipathies is passed, or passing rapidly away. The wide heart of humanity is beating in all its arteries, full of an embracing activity, a yearning hope, a loving spirit of comprehensiveness. Full gladly must we learn;—as gladly teach. Synthesis, not antithesis, is beginning to develop itself as the aim of man's exertions; and as mind is to be the mighty agent in all ultimate union, let us have a right understanding and a reverential appreciation of the mind of other nations.

ART. V.—1. *The Apostolical Jurisdiction and Succession of the Episcopacy in the British Churches.* By the Rev. Wm. Palmer, M.A. London: 1840.

2. *Origines Liturgicæ, or Antiquities of the English Ritual, &c.* By the Rev. William Palmer, M.A. Oxford: 1839.

IT must have excited a smile in many of our readers, to observe with what regularity, about once a quarter, Mr. Palmer comes forward in the character of a polemic, and fires a shot, in the shape of a pamphlet, at the popish champion, Dr. Wiseman. We have now lying on our desk "A *fifth* Letter to N. Wiseman, D.D., by the Rev. William Palmer, M.A., of Worcester College, Oxford." Five letters in little more than the space of one year! What pertinacity of zeal,

and fecundity of pen! But on this subject we have no right to interfere. We must not put in our sickle to reap another man's harvest. The letters are addressed to Dr. Wiseman; and we shall leave it to him to answer them, if he deem them worthy of the honour: being satisfied that, whatever provocation may have been given, he will perform the task with that command of temper which becomes a Christian, and in that mild and honied phraseology which is to be expected from a bishop of Melipotamus.

Τοῦ καὶ ἀπὸ γλώσσης μέλιτος γλυκίων ῥεεν ἀνδρῆ.

But Mr. Palmer is the author of other works besides these epistolary effusions, works of higher pretension, and more general interest, but at the same time advocating paradoxical statements and opinions, which we consider it a duty to controvert and expose. We have already broken a lance with him in a former number: we propose to break another with him in the present. In that the question was whether the Church of England reformed herself in the sixteenth century; in this it shall be, whether she was, for many centuries after her origin, independent of the Church of Rome. The affirmative is maintained by Mr. Palmer: he loses no opportunity of asserting it; he repeats it *usque ad nauseam* in most of his works. The English Church, he tells us, was independent from the first: she retained that independence during the times of the Augustines, the Bedas, the Dunstons, and the Anselms: it was not till the twelfth or thirteenth century, that the bishops of Rome exercised any jurisdiction over her; then for three hundred years she bent to the yoke,—but at the Reformation burst from her thralldom, and recovered her independence. He finds, indeed, some difficulty in assigning the exact period when, and the manner how, that independence had been lost, taking the duration of a century for the first, and suggesting, to account for the other, that the popes may have acquired their authority in this island by delegation from the English Church, which she was of course at liberty to withdraw, or with the permission or consent of the English bishops, which could bind only for a time, or by the usurpation of the popes themselves, which it could never be unlawful to oppose and overthrow. Now, this indecision and uncertainty cannot fail of provoking some suspicion of Mr. Palmer's accuracy. How comes it that he can ascertain the fact, and yet is unable to discover any of the particulars, which led to so important a revolution? But of this we shall

take no advantage; because it is our purpose to show, to the full conviction of our readers, that there never was a time, from the arrival of St. Augustine and his fellow-missionaries from Rome, down to the era selected by Mr. Palmer, in which the English Church did not acknowledge the superiority and jurisdiction of the Church of Rome.* To accomplish this, we need only take the torch of history in our hands, and it will be seen that at the very first step which we make, the gorgeous fabric created by the imagination of Mr. Palmer, will melt into air.

It is fortunate that, in the outset of this inquiry, we can appeal to a writer, against whose testimony no objection can lie,—to one who candidly informs us of the sources of his information,—and who is plainly under no bias to lead him to the suppression or the disguisement of the truth;—to the venerable Beda, a contemporary and a countryman, and the first scholar of his age in the western, probably in the whole Christian Church. Beda wrote the *Ecclesiastical History of the English*, from A.D. 596 to A.D. 731, almost the very year before his death. Now, we can often form a satisfactory judgment of the opinions prevalent among a people, from the language which their writers employ in treating of certain subjects. How, then, does Beda speak of the bishops of Rome, and the independence of the English Church? In the language of Mr. Palmer and his friends? No: in language exactly the reverse. In allusion to the arrival of Augustine and the first missionaries sent by Gregory the Great, bishop of Rome, he tells us that Gregory ought to be styled “the apostle of the English; because, when he held the first episcopal office in the whole world, and was placed over the Churches already converted to the belief of the truth, he made our nation, which up to that time had been enslaved to the worship of idols, a Church of Christ.”† Perhaps Mr. Palmer never saw

* As a century intervened between the extinction and renovation of Christianity in those parts of the island occupied by the Anglo-Saxons, we consider the English Church as an establishment totally unconnected with the British Church; and shall therefore take no further notice of Mr. Palmer's opinions respecting the latter, than to remark that occasionally he seems to quote from ancient authorities upon trust; otherwise we cannot explain how he came to refer to the testimony of Eusebius (Dem. Evan. iii. 5) or of Theodoret (tom. iv. 610), as proof that some of the apostles preached personally in Britain. They merely assert that the knowledge of Christianity was spread by the preaching of the apostles, and penetrated from them into Britain.

† “Quia, cum primum in toto orbe pontificatum gereret, et conversis jamdudum ad fidem veritatis esset prælatus ecclesiis, nostram gentem, eatenus idolis mancipatam, Christi fecit ecclesiam.”—Bed. ii. c. i.

this passage; perhaps he would not see it;—for we are not sure that he does not occasionally turn his back on an inconvenient fact or statement, that he may pursue his course in happy or affected ignorance of that which, if it were seen and acknowledged, might operate as a stumbling-block in his way. But whether he saw it or not, this is plain, that it expresses the opinion of Beda and of his fellow-churchmen of that early age, who believed that not only was the Church of Rome the first Church in the whole world, but that the bishops of Rome were placed in authority over all converted Churches, and of course over the Church of England, as soon as the English became aggregated to the Catholic Church. We observe, indeed, that Mr. Palmer is very unwilling to make use of words which sound gratingly on an orthodox ear; and that he therefore converts the *commands* and *decrees*, attributed by Beda to the pontiffs, into *wishes*, or *advice*, or *invitations*: whence it is not improbable that he may also interpret this passage of a primacy of honour, and not of jurisdiction. But the subterfuge will not avail him. It is not said that the bishop of Rome is placed over other bishops, but over all converted *Churches*,—an expression which evidently implies an authority of inspection and correction.

From the opinion of Beda, we proceed to the facts which he relates. As soon as the king of Kent, and a portion of his subjects, had been baptized, Augustine, by *order* of Gregory, crossed the sea to Arles; where the metropolitan of Gaul, also by the *order** of Gregory, consecrated him archbishop of the English.* The new prelate, on his return, received from the pontiff the pallium, and a letter, from which the following are extracts:—"We give you permission to wear the pallium in the English Church (but only during the solemn celebration of mass), to the end that you ordain twelve bishops in twelve several places, who shall be subject to your jurisdiction, with this understanding, that always hereafter the bishop of London be consecrated by his own synod, and receive the pallium of honour from this holy and apostolic see, in which I serve under the authority of God. We moreover will, that you send to the city of York, a bishop, whomsoever you shall judge proper to ordain, to the

* "Juxta quod *jussa* sancti patris Gregorii acceperant." (Bed. i. 27.) Mr. Palmer is not the only writer who cannot understand the meaning of the word *jussum*. Even Mr. Churton, from custom we believe, has translated it by *advice*. "In this he followed the *advice* of Gregory."—*Early English Church*, p. 32.

end that, if the said city and the neighbouring country receive the Word of God, he may also ordain twelve bishops, and possess the honour of a metropolitan: for to him also we intend to give a pallium, if we live. It is, however, our will, that he be subject to your authority now, but that after your decease, he preside over the bishops whom he shall have ordained, and shall owe no subjection to the bishop of London.* To us this seems very like an act of legislative authority. Mr. Palmer admits that "Gregory was perfectly justified in directing Augustine as to the arrangement of the Church just rising among the Anglo-Saxons: it was, however, a peculiar and extraordinary state of things, which did not afford any rule for other times." But he should remember that this was not a temporary arrangement, but a plan of Church government, to be established both for the lifetime of Augustine, and for the times which might follow it: that it was not merely a notification of what the pontiff *wished* Augustine to adopt, as Mr. Palmer by his translation seems to insinuate, but a law which he enjoined him to observe;† and that the powers communicated to him were, as will be subsequently shown, the same which were communicated by the apostolic see to all other metropolitans on this side of the Alps.

The pontiff continues:—"Not only the bishops whom you may have ordained yourself, and those whom the bishop of London may ordain, but, in addition, all the bishops of Britain (that is, of the ancient Britons, driven by the invaders to the west coast of the island), you will have under your jurisdiction, by authority of God, our Lord Jesus Christ; that from your teaching they may learn to believe truly, and to live rightly from your example." The lamentable state, both as regarded discipline and morals, to which the British Churches had been reduced, probably in consequence of the ruthless wars between the natives and the invaders, is described by Gildas, a Britain and a contemporary: and here we find Gregory subjecting the bishops of those Churches to the superintending authority of Augustine, in the same manner as the bishops of the English converts. Mr. Palmer tells us that in such cases every neighbouring bishop has a right to

* Bed. i. 29.

† Palmer, "Apost. Jurisdiction," p. 118. Mr. Palmer seems ignorant that in the papal rescripts of the age, the Latin word *volumus* expresses a *command*. His translation converts it into a *wish*.

interfere: but who ever heard of a neighbouring bishop assuming on that ground the right to place a national Church under the jurisdiction of a foreign prelate, and that, too, in virtue of authority possessed by himself of *divine right*, for such must be the meaning of the words employed by Gregory—"By authority of God, our Lord Jesus Christ."*

But this is not all. Augustine had consulted the pope, how he was to act with the Gallic, as well as with the British prelates. The answer is,—“Over the bishops of Gaul we give you no authority, because from the olden time of our predecessors, the bishop of Arles has received the pallium, and him we ought not to deprive of the authority which he possesses. . . . You cannot judge the Gallic prelates. Whatever is to be done by authority, must be done with the aid of the bishop of Arles, that we may not overturn the institution of our fathers. But all the bishops of Britain we commit to your care, that the unlearned may be taught, the weak strengthened by persuasion, and the obstinate corrected by authority.”†

Hence we are justified in concluding that the authority committed to Augustine was judicial and corrective; and that if similar authority were not given to him over the Gallic bishops, it was not because Gregory did not claim the power of granting it, but because circumstances did not require the exercise of such power. Mr. Palmer will maintain that this was an undue assumption on the part of the pontiff: that he possessed no right by himself, or by his representatives, to fix or disturb the internal arrangements of a foreign Church. But the right is not the subject which at present we propose to discuss. We prove the exercise of that right, on this occasion, in opposition to his assertion that the pontiffs exercised no legislative or judicial authority in the Cisalpine Churches till a later period.

Augustine ordained three bishops,—Lawrence to succeed him, Mellitus to the see of London, and Justus to that of Rochester. At the death of Augustine, the bishop of London ought to have become the new metropolitan; but Mellitus was driven into exile, and afterwards succeeded Lawrence at Canterbury. Thus the office of metropolitan fell into abeyance: for neither Lawrence nor Mellitus received the pallium, nor did either of them ordain any bishop. Justus, on the death of Mellitus, the only remaining prelate conse-

* Bed. i. 29. Palmer, *Apost. Jurisd.*

† Bed. i. 27, § 65.

crated by Augustine, was translated to Canterbury; and to him the pallium was granted by Pope Boniface, "with the power of ordaining bishops."* He consecrated Paulinus, bishop of York; who, having received the pallium, consecrated at Lincoln, Honorius, the successor of Justus.† This detail was necessary, that the reader may understand the sequel. It was now manifest that the plan laid down by Pope Gregory, could not be carried into effect. The church of York had no bishops subject to it: that of London had not even a bishop of its own. The metropolitans could not be ordained by synods which had no existence. On this account Edwin king of Northumbria, and Eadbald of Kent, joined Paulinus and Honorius in a petition to the Pope, whose name was also Honorius, the object of which petition may be learned from the tenor of the papal answer:—"Therefore in conformity with the joint petition of you and of the two kings, our sons, by this our present *precept*, we, acting in the place of the blessed Peter, the prince of the apostles, give this power to you, that, whenever it shall please God to call one of you to himself, the survivor shall consecrate the successor of the deceased: for which we have sent a pallium to each of you, that by authority of this our *precept*, you may be able to perform the ordination in a manner acceptable to God. That which has compelled us to make these grants to you, is the great distance by sea and land between you and us, that your Churches may not suffer injury from what may happen, but that the devotion of the people intrusted to your care, may be augmented."‡ The reader will notice the tone of authority in which this answer is written, and the reason assigned for the transmission of the pallium, in lieu of its delivery in Rome into the hands of the archbishops: and then let him attend to the comment of Mr. Palmer: "This amounted in fact to a dispensation from the canons, which the case would have furnished without any application to Rome: but the English Church sought the Pope's interposition, not that he possessed any patriarchal jurisdiction over

* "Data sibi ordinandi episcopos auctoritate a pontifice Bonifacio."—Beda, ii. 5.

† Beda, ii. 17-19. Mr. Palmer is of opinion that the ordination of a bishop by a single bishop is null. What then does he think of this ordination of Honorius by Paulinus, at Lincoln? Whence could they have obtained other bishops to assist? It is probable that Paulinus had received from Boniface the same power which Augustine received from Gregory. See Beda, i. 27.

‡ Beda, ii. 18.

them, but in order that they might not seem to act entirely on their own judgment.”* Thus, if any man will believe him, what by the Pope is called a *precept*, by Beda a *decree*, “granting to one archbishop the power of consecrating the other, that it might not at every vacancy be necessary to go as far as Rome for ordination,”† is in fact nothing more than a needless form of dispensation from some unnamed canons, the petition for which does not imply any consciousness of inferiority in those who solicit it. With respect to the very ingenious reason, why the English bishops did not dispense with themselves, or seek a dispensation from some Church nearer than that of Rome, we shall only remark, that most certainly it was not known to Beda; nor has Mr. Palmer deigned to inform us by what supernatural channel it became known to him.

In 664, Deusdedit, the fifth successor of St. Augustine, died, and Wighard, being elected by the Church of Canterbury, proceeded for ordination to Rome, taking with him presents and letters from Oswy king of Northumbria, and Egbert king of Kent. There he died soon after his arrival; and Pope Vitalian, in conformity with the royal request, selected as a proper person for metropolitan, Theodore, a native of Tarsus, in Cilicia; and after ordination invested him with authority over all the churches of the English.‡ Thirteen years later it was decreed by Pope Agatho, in his synod in Rome, that the number of English prelates should be limited to twelve, including the archbishop; that these should be divided among the several kingdoms in proportion to the extent of each kingdom; and that no man should take upon himself to ordain them but the archbishop, who had received the pallium from the apostolic see.§ By this arrangement the bishop of York forfeited the dignity of metropolitan; but sixty years afterwards it was restored to him by Gregory III;|| and not long after that a third archiepiscopal see was established at Lichfield by Adrian I, at the request of Offa the powerful king of Mercia. Whilst Offa lived, the English

* Palmer, *Apost. Jurisd.* p. 120.

† “Ne sit necesse ad Romanam usque civitatem per tam prolixa terrarum et maris spatia pro ordinando archiepiscopo semper fatigari.” (Beda, ii. 18.) Did not Beda then believe what Mr. Palmer so often denies, that the ordination of the English metropolitans belonged of right to the bishop of Rome?

‡ Beda, iii. 29; iv. 1, 2.

§ Spelman, *Con.* i. 159. Wilkins, *Con.* i. 46.

|| Chron. Sax. anno 735. Malm. de Pont. f. 153.

bishops reluctantly submitted; after his death a powerful attempt was made to abolish the authority of the new metropolitan. Æthelheard of Canterbury proceeded to Rome; Kenulph, the successor of Offa, and the bishops, sent messengers; and the pope, Leo III, was solicited both to rescind the former decree of his predecessor in favour of Lichfield, and to decide whether the see of the southern metropolitan ought to be fixed at Canterbury or at London, according to the original plan of St. Gregory. Leo, in return, justified the conduct of Adrian, on the ground that he had been misinformed—for it had been represented to him that the enormous extent of the province of Canterbury required the joint care of two metropolitans; rescinded, as having been obtained under false pretences, the grant made to the bishop of Lichfield; and ordered that this, his decree, should be published in a synod, and be subscribed by the English prelates of that province. But with respect to the other question, whether the archiepiscopal see ought to be fixed at Canterbury or London, he declared himself unwilling to deprive the successors of St. Augustine of that primacy which they had now so long enjoyed.* Truly it seems to us inexplicable how any man, with all these facts staring him in the face, can persuade himself that the ancient Church of England was, and acted as if she were, independent of the Church of Rome.

But Mr. Palmer's statement of the last transaction must not be allowed to pass unnoticed. It is this: "The act of Pope Adrian was unlawful and contrary to the canons, and as such was afterwards *forbidden to have any force* by our predecessors, the bishops of England in the council of Cloveshoe, where also it was decreed that the primacy supported by the canons and the apostolic decrees should remain in Canterbury."† Now this is a distinguished specimen of the sophistry by which truth may be so disguised as to be made the harbinger of falsehood. There is not perhaps any single phrase in this extract which is not separately true. But by the suppression of some facts, and the convenient arrangement of others, the impression made on the mind of the reader is directly contrary to the truth. He will, undoubtedly, conclude from this statement that the English bishops, in vindication of the rights and independence of their Church, deprived, by their own authority, the see of Lichfield

* Wilkins, Con. i. 164-7. Malm. Gest. Reg. i. 119-27.

† Palmer, Apost. Jurisd. 121.

of the archiepiscopal dignity, though that dignity had been conferred upon it by papal authority. But what says the original document, the decree of the council, which is yet extant? It opens with the remark, that it is well known to many, how, in the lifetime of archbishop Janberct, Offa, king of Mercia, had fraudulently torn in twain the ecclesiastical province belonging to the see of St. Augustine in Canterbury; how archbishop Æthelheard, the successor of Janberct, had visited the tombs of the apostles, and related this iniquitous transaction to the blessed pope Leo; how the apostolic father, as soon as he heard and knew of the injustice, issued and sent into England a *precept by authority of his prerogative, commanding* the bishoprics lately severed from the church of Canterbury to be replaced under its jurisdiction, and the authority of the ancient metropolitans to be restored to archbishop Æthelheard on his return to his own country; and how Kenulph, the pious king of the Mercians, with his witan, had already fulfilled it: wherefore Æthelheard, with his twelve bishops, had, *in obedience to the apostolic precept*, assembled at Cloveshoe, and decreed that no man should violate the rights of the see of St. Augustine, but that they should always be preserved according to *the constitution of St. Gregory, the grants of his apostolical successors*, and the sanction of the canons. With the co-operation, therefore, of God, and of *pope Leo*, they confirmed the primacy of Canterbury, with their signatures, prohibited the existence of the archbishopric in the minster at Lichfield, and, *with the permission and consent* of pope Leo, declared the grant of the pallium and the archiepiscopal dignity, made by pope Adrian to the minster of Lichfield, to be of no avail, because it was obtained by subreptitious and unfair suggestions.* Is it not manifest that the English bishops throughout the whole proceeding, instead of denying the jurisdiction of the pontiff, acknowledge its existence, and do nothing more than execute the papal decree!

To regulate the external polity of the English Church formed but one branch of the papal prerogative; another was to watch over the state of doctrine and morals. With this view the pope was accustomed to empower his delegates to make enquiries, and to demand of the bishops their assent to certain decrees of faith and canons of discipline. In 680,

* See it in Wilkins, Con. i. 167. Smith, Bedæ Hist. app. 787; and Kemble, Codex Diplom. Ævi Saxon. i. 224.

pope Agatho, to prevent the diffusion of monothelitism, sent to several countries the acts of a council held under his predecessor, Martin, by which that error had been condemned. On the arrival in England of his envoy, John, the precentor of St. Peter's, a synod of the bishops was called; the acts were read, and a decree was made, in which they explained their faith, and professed their adhesion to the doctrine of the five general councils, and to the condemnation of monothelitism by the council under Martin. This decree, having received the subscriptions both of the bishops and the envoy, was forwarded to Rome.* In 747, archbishop Cuthbert summoned a council at Cloveshoe, in obedience to the command of pope Zachary, for the extirpation of abuses which, as that pontiff had learned from Boniface of Mentz, now prevailed in the English Church. This appears from the acts of the synod. It was opened with the lecture of two letters, which, "as Zachary by his apostolic authority had commanded, were read first in the original Latin, and next in an English translation. In them he admonished, expostulated, and prayed; and thence proceeding to threats, declared that he would cut off from the communion of the Church the obstinate and disobedient, of whatever rank they might be." No opposition was made, and thirty canons for the reformation of both clergy and laity were enacted.† About forty years later pope Adrian sent the bishops of Ostia and Tudertum to England, with letters, not only to the archbishops but also to the kings of Wessex, Mercia, and Northumbria. Two councils were held, one in Northumbria, the other in Mercia; twenty canons were published in both by the legates; and all present, including both clergy and laity, promised obedience; pledging themselves first with the sign of the cross in the hands of the legates, as representatives of Adrian, and secondly, subscribing with the sign of the cross the copy of the acts which was to be forwarded to that pontiff.‡ How happened it on this and similar occasions that the bishop of Rome, and he alone of all foreign bishops, interfered? or that, when he interfered, it was not merely as an equal with advice, but as a superior, with authority? or that the English bishops never offered resistance to his pretensions, but promised unlimited obe-

* Bedæ Hist. iv. 17, 18.

† Wilkins, Con. i. 94.

‡ Spelman, Con. 292. Wilkins, Con. i. 146. The manner in which they promised obedience is thus described in the letter of the legates to the pope:—"Signo sanctæ crucis, in vice vestra in manu nostra confirmaverunt—in manu nostra in vice domini vestri signum sanctæ crucis firmaverunt."

dience to his commands? The facts speak by themselves; they show that the English bishops recognized, not only the preeminence, but also the ecclesiastical jurisdiction of the successor of St. Peter.

It would be easy, if it were necessary, to cover several more pages with additional proofs from official letters, which have been fortunately preserved; from the custom of applying to the pontiff, even in the first age of the English Church, for charters of protection in favour of religious establishments;* and from the appeal of Wilfrid, "by the advice of his fellow-bishops," from the judgment of the metropolitan, and the history of the pleadings before the pope in that appeal.† But, to spare the patience of the reader, we shall now request his attention to that, which Mr. Palmer considers the great argument in support of his opinion. The popes, he tells us, did not ordain the English metropolitans, nor confirm their elections. Out of forty-one archbishops of Canterbury from A.D. 597 to A.D. 1138, only two were consecrated by the bishop of Rome; and out of twenty-one archbishops of York from A.D. 625 to A.D. 1119, not one was ordained by the Roman pontiff or his legates. Neither is there any proof that their elections were confirmed by him. Now, by the ancient canons to each patriarch belonged the ordination and confirmation of the metropolitans within their respective patriarchates; whence it inevitably follows that the English Church was not subject to the jurisdiction of the Roman patriarch.‡ To this we reply: 1. We have already shown that the superior authority and jurisdiction of the Roman see was most certainly acknowledged by the English bishops, and exercised in England by the bishops of Rome. Whether that authority shall be called patriarchal, or papal, or primatial, or by any other name, is to us perfectly indifferent. The fact of its recognition and exercise cannot be disputed. 2. The ancient canons, to which Mr. Palmer refers, do not impose on patriarchs the obligation of ordaining or confirming all the metropolitans subject to their jurisdiction, but establish their right to do so, as they may think proper. They might still appoint or allow others to

* Bede Hist. iv. 18. Vit. Abbat. Wirem. 293, 300. Eddius, c. 49. Wilk. Con. 147.

† Eddius, c. 24, et seq. Bed. Hist. v. 19. See also the appeal to Rome, of Egwin, bishop of Worcester (Wilk. Con. i. 72), and the canons of archbishop Egbert (ibid. 104, xlix).

‡ Palm. Apost. Jurisd. 102, 126, et seq.

ordain in their place. We admit what Mr. Palmer asserts, that "for a thousand years the metropolitans of the west generally, except those of Italy and the adjoining islands, were confirmed and ordained, not by the see of Rome, but by provincial synods."* But how did this arise? From the many and grievous inconveniences which must have followed, had the metropolitans on this side of the Alps been constantly obliged to travel to Rome for confirmation and ordination. Hence the popes consented that this should be done, sometimes by the synod of bishops subject to the archbishopric, sometimes by a neighbouring metropolitan, as circumstances might suggest. From the loss of ancient documents it may be difficult to prove the existence of this discipline in every province; but it is easy to prove its prevalence in the English Church, and there can be no doubt that it prevailed equally, and from the same cause, in the Churches of Gaul and Germany. The reader has already seen that Gregory, when he divided England into two ecclesiastical provinces, decreed that each metropolitan (but not till the death of Augustine) should be appointed and ordained by the synod of the province; and that this arrangement was afterwards altered by Honorius, who decreed that the survivor of the two metropolitans should ordain the successor of the deceased. According to these decrees the consecration of subsequent metropolitans was conducted: and it will require some hardihood to contend that consecrations celebrated in conformity with the grants and regulations of the Roman bishop, are proofs that the consecrated were not dependent on that bishop.

But, says Mr. Palmer, their elections were not confirmed by the pope. This is true in one sense. They were not confirmed as far as regarded the episcopal office, but as far as regarded the office of metropolitan they were regularly confirmed by the transmission of the pallium. The pallium originally was a cape of fine woollen cloth, thrown over the shoulders, and reaching almost to the feet both before and behind: but afterwards, when it was worn as an ornament and not for use, though it retained its former shape, it was gradually contracted to the width of a few inches, and frequently embroidered in the most costly manner. Every bishop was at liberty to wear a pallium; but the pallium blessed by the pope, and sent by him to an archbishop, was considered a distinguished honour, emblematic of the prelate

* Palmer, *Apost. Jurisdiction*, 102.

being now put into possession of the plenitude of his office.* For, before he received it, he was not allowed to preside in the synod of his province, nor to ordain bishops, nor to act as metropolitan. This we learn from the answer of pope Nicholas to the Bulgarians, anno 866. "If," he writes, "the bishop to be consecrated for you by us, shall multiply by his labours the number of Christians among you, he shall receive from us the rights of an archbishop, that he may ordain bishops for his province, who at his death shall appoint his successor. That successor, on account of the length of the way, need not come to us for consecration, but the bishops consecrated by his predecessor shall ordain him: let him not, however, seat himself on the throne, nor consecrate anything but the body of Christ, until he receive the pallium from the Roman see, as is well known to be the custom with all the archbishops of Gaul and Germany, and other countries."† This passage is in perfect accordance with the papal letters to the first English metropolitans. It is, indeed, more explicit, because it was written for the instruction of a people lately converted, whereas *they* were addressed to men who had been educated in Rome itself: but both the one and the other clearly teach the same thing,—that the pallium was necessary to enable the archbishop to ordain the bishops subject to his see; and that it was sent to him as a favour, to spare him the fatigue of a long and dangerous journey to Rome.‡ The grant of the pallium then was a confirmation of his appointment as metropolitan;§ whilst the use of it continually reminded him of his subordination to the pontiff, from whom he received it.

Mr. Palmer has numbered up sixty-two English metropolitans, who, if we believe him, owed no obedience to the bishop

* "Sine quo plenitudinem officii sui exercere non potuit."—Ang. Sac. ii. 203.

† "Qui, si Christi plebs ipso præstante crescit, archiepiscopatus privilegia per nos accipiat, et ita demum episcopos sibi constituat, qui ei decedenti successorem eligant: et propter longitudinem itineris non jam huc consecrandus, qui electus est veniat, sed hunc episcopi, qui ab obeunte archiepiscopo consecrati sunt, simul congregati constituent, sane interim in throno non sedentem, et præter corpus Christi non consecrantem, priusquam pallium a sede Romana percipiat, sicuti Galliarum omnes, et Germaniæ, et aliarum regionum archiepiscopi agere comprobantur."—Labbe, Con. viii. 542. Ed. 1671.

‡ "Longa terrarum marisque intervalla ad hæc nos condescendere coegerunt." (Ep. Hon. Pape.) On which Bede himself remarks, "ne sit necesse ad Romanam usque civitatem per tam prolixa terrarum et maris spatia pro ordinando archiepiscopo semper fatigari."—Hist. ii. 18.

§ "Brithwald, quem auctoritate principis apostolorum archiepiscopum ibidem confirmavimus." (Epist. Joan. Papæ, apud Eddium, c. 52.) How had he confirmed Brithwald as archbishop? Only by sending to him the pallium.

of Rome. But can he prove that any one of them ever acted as metropolitan, before he had sent a messenger, or had gone in person, to solicit the pallium at Rome? He cannot. The immediate successors of St. Gregory, after his example, were accustomed to send it to England at the petition of the new archbishop. But later pontiffs were less indulgent: they insisted that the petitioner should come and receive it in person; and they enforced obedience through the whole period in question, except in a few particular cases, though the archbishops submitted with reluctance, and the English Church occasionally remonstrated on the ground of the exemption formerly granted by St. Augustine.* Thus it appears that the very fact on which Mr. Palmer relied in proof of the independence of our ancient Church, furnishes an unanswerable argument against him. We have shown that, though the popes waived, in consideration of the distance, their claim to the consecration of the English archbishops, they reserved to themselves the right of admitting them to the exercise of the metropolitan office, by the grant or the transmission of the pallium.

From this pretended independence of the Church of England in more ancient times, we now follow Mr. Palmer to another theological paradox: the imaginary antiquity of the liturgical forms employed in the Church of England of the present day. While Henry VIII lived, the Catholic service was retained: but on the accession of the boy Edward, the destinies of the English Church fell into the hands of Archbishop Cranmer, who saw that to reform its creed without reforming its worship, would be a practical solecism; the setting up at the same time of two antagonist principles—Protestantism and Catholicism. He had the articles of religion in readiness: nothing therefore was wanting but a new form of worship to harmonize with those articles. Taking for the groundwork

* Rad. de Diceto has left us a catalogue of the different popes from whom each archbishop of Canterbury received the pallium. (*Ang. Sac.* i. 87.) From what authorities he compiled it is unknown. In the broken and imperfect chronicles of that remote period which have reached us, there occur, indeed, accidentally as it were, notices of the reception of the pallium by many of these prelates, or of their journeys to Rome to obtain it (*Chron. Sax. annis* 764, 804, 831, 989, 997, 1022; *Ang. Sac.* ii. 71, 72, 109, 129, &c.): but of many of them we know little more than their names; yet of these there can be no doubt that they also petitioned for it, and obtained it like the others: for the English prelates (A.D. 801) speak of the journey to Rome for that purpose as a thing of course, consequent on their election (*Wilk. Con.* i. 166); and Canute, two hundred years afterwards (A.D. 1031) repeats the same, “*pro pallio accipiendi secundum morem.*”—*Ibid.* 298. *Malms. Gest. Reg.* i. 310.

the Catholic services to which men had been hitherto accustomed, he, with his associates in the task, weeded out of them whatever, under the influence of the new light, was deemed superstitious or superfluous; retained with trifling alterations the creeds, collects, epistles, and gospels; corrected or improved other parts, in accordance with the religious opinions of the reformers; and then, with the aid of a new collocation of the old matter, and the occasional addition of new matter, compiled a book of Common Prayer, different, indeed, in many respects from the liturgies of all other Churches, yet preserving many of their original features, particularly one of the highest importance,—the ancient form of sacrifice. On its completion, it was subscribed by the convocation, received the sanction of the infant head of the Church, and was ordered by act of parliament to be used in all chapels and churches under very severe penalties. There lived, however, at Geneva, one who had made a greater progress in the new learning than the archbishop, the convocation, the king, and the parliament altogether. Calvin openly expressed his disapprobation of the book; his disciples in England argued the matter with Cranmer, whose reluctance, if reluctance he really felt, was easily overcome: and the new form, in the third year of its existence, was subjected to the pruning knife of a committee of divines, mostly of the Genevan school. If any credit be due to the declaration of parliament, it was already “agreeable to the Scriptures and the primitive Church.”* But that could not save it from mutilation. The revisors discovered in it the errors of popery lurking in every page; and executed their reforming office with a vigour and decision worthy of their master. Every rite, every form, irreconcilable with the Genevan standard, was mercilessly pared away: but no where did they exercise their power more wantonly than in the communion service, which had been copied mostly, either in words or in substance, from the Catholic missal. It was in this that the ancient form of sacrifice had been retained, an object of utter abomination in the eyes of these theological censors. Now that it lay at their mercy, they cut out at one fell swoop the whole of that form, and left nothing remaining but the words of consecration, and the communion of the people.

There was also an alteration made of another kind, less obvious perhaps to the unsuspecting reader, but which imparted a new character to the religious tendency of the Prayer-

* Stat. of Realm, iv. 130.

book. If we open the liturgies of the ancient Christians, we find a spirit of joy and gratitude pervading every form of their worship. Confession of sinfulness and unworthiness, and petitions for grace and pardon, may occasionally be found: but such forms were thought meet for the class of penitents who were excluded from the celebration of the sacrifice: to their more fortunate brethren, who either had not forfeited their privileges by grievous offences, or had recovered them after a long course of penance, it belonged to sing the praises of God with hallelujahs and hosannas of joy; to express their gratitude by thanking Him for his mercies in the creation and redemption of man; to remember that "He had conducted them from the paths of error to the fold of truth; had brought nigh those who were wandering afar off; and had made those the sons of God, and joint-heirs with Christ, who had been without God, and without hope, in this world."* But this tone of gladness and exultation did not accord with that stern and gloomy form of devotion which Calvin had impressed on the minds of his disciples, who made it their care to exclude it from the new liturgy, into which it had been infused from the old. The hallelujahs and hosannas were scored out: Scriptural threats of punishment, calls to repentance, and supplications for mercy, were introduced; and by numerous, and sometimes scarcely observable, alterations, they succeeded in almost obliterating from the book another feature in which it bore resemblance to the worship of former times. We do not make this statement either for the purpose of praise or dispraise; but we submit it to the consideration of those who have been taught to admire the vaunted identity, or at least similarity, of the ancient and modern forms of worship. Christians of the older Churches worshipped as sons of God and brethren of Christ: Christians of the modern Church are directed to worship as servants, conscious of misdeeds, and fearful of punishment.

Cranmer, however, did not venture to submit the book in this mutilated state to the judgment of the convocation, where a strong opposition was anticipated on the part of the bishops: he was satisfied that it should be established by authority of the crown and the parliament;† and an act was passed, which,

* "Οτι τῆς πλάνης ἀπὸ ἡλλὰξεν . . . ὅτι μακρὰν ὄντας ἐγγυς ἐποίησεν, κ. τ. λ. —S. Chrys. ix. 532.

† "Si noluerint episcopi efficere, ut quæ mutanda sunt, mutantur, rex per seipsum id faciet, et cum ad parliamentum ventum fuerit, ipse suæ majestatis auc-

under pretence that it was still the same book which had been approved already, and that the alterations were only such as had been found "necessary to make the same prayers and fashion of service more earnest and fit to stir Christian people to the true honouring of Almighty God," enforced the use of this second book under the same penalties as the first. Thus it became, without ecclesiastical sanction, the standard form of worship in the new Church, and so it continued during the reigns of Elizabeth, James I, and Charles I, till it was superseded by the directory in the time of the Commonwealth. At the restoration it recovered its rights and ascendancy, but it was subjected again to the ordeal of revision: new corrections were made, some at the suggestion of the more-zealous of the orthodox clergy, some with the vain hope of conciliating the Presbyterian divines; and then, about a century after it had been enforced by lay authority, it obtained for the first time the approbation of the Church assembled in convocation.

Such, in a few words, is the history of the book of Common Prayer, which book Mr. Palmer has undertaken to elucidate in his two volumes, entitled,—"*Origines Liturgicæ, or Antiquities of the English Ritual.*" In the preface, he informs us, that "the English Prayer Book was not composed in a few years, nor by a few men: it has," he says, "descended to us with the improvements and approbation of many centuries. . . . The great majority of our formularies are actually translated from Latin and Greek rituals, which have been used for at least fourteen or fifteen hundred years in the Christian Church: and there is scarcely a portion of our Prayer Book which cannot in some way be traced to ancient offices."* The task then which he has assumed is apparently to trace such portions to their originals in the liturgies of the first Christians, though we are not sure that we have exactly caught his meaning. Devotional feelings are of all climes and of all ages: nor is it possible for men, howsoever distant they may be from each other in time or place, to express such feelings, without using the same or similar phraseology. If then Mr. Palmer mean to say that there is no prayer offered to God in the Anglican service, of which some remote resemblance, either in form or substance, may not be discovered in ancient liturgies and ancient writers, he may spare

toritatem interponet." (Martyr to Bucer, Jan. 10, 1551.) See the two books of Edward VI, p. xvii. Parliament met on the 30th of the same month.

* Orig. Litur. i. iv. v.

himself the trouble of investigation. It is a position so probable of itself, that no man will be tempted to deny it. But if his object be to show that the whole Book of Common Prayer, or that its several offices, are composed in the same order, and of similar materials with the ancient liturgies, or the offices belonging to the ancient churches, we have no hesitation to say that he has deceived himself, and will deceive his readers. The fabric is new. It has been constructed after a modern plan, and arranged for a different purpose. If a few of the materials have been taken from the old building, that alone cannot vest it with a claim to the veneration due to antiquity.

Mr. Palmer's work opens with a long and elaborate dissertation on the ancient liturgies. We may have been tempted to smile at some of his mistakes, into which no one habituated to the Catholic ritual could have fallen; but we must not withhold from him the praise of diligence and research, and of much discrimination and judgment in his attempt to ascertain the extent of territory in which the several liturgies were used, and the age to which they may be traced in the works of authors, with whose times we are acquainted.* He has even ventured to dissent from most of his Protestant predecessors in liturgical knowledge, by refusing to that which is called the Clementine liturgy, preserved in the apostolical constitutions, the extravagant authority that many critics have assigned to it. There is no evidence, as he justly observes, that it was ever used as the liturgy of any Church. We think that he might have gone further, and have refused to it any credit whatsoever. It is, indeed, probable that the author would follow in his composition the order already established; but it is plain, from internal evidence, that he was an impostor,—of what age or country we know not,—who, to palm his own work on the public, prefixed to it the name of Clement, one of the first bishops of Rome, and made him vouch for its authenticity, and describe each particular part, as dictated by one or other of the apostles.

* We may, however, express our surprise that Mr. Palmer (*Orig. Litur. i. 57, 58*) should attach any importance to the testimony of the fragment, by an anonymous writer of the eighth or ninth century, published by Spelman (*Con. i. 177*). 1^o. It is evident to us that he treats not of liturgies, but only of psalmody, the *cursus psalmorum*. 2^o. His numerous mistakes deprive him of all credit. If we believe him, the order of singing the psalms followed by the Irish Churches was established by St. Mark, that followed in the Gallic by St. John the evangelist!

After this parliamentary dissertation, which occupies two hundred pages, Mr. Palmer applies in good earnest to his task of tracing the formularies of the Anglican Church to the liturgies of the ancient Churches. With this view, he first dissects each office in the Anglican ritual into its component parts, and then spreads before him every liturgy published up to the present day,—of many among which, be it remembered, the composers of the ritual could not possibly possess any knowledge,—and not the liturgies only, but also the works of ancient writers, in which any liturgical notices are contained. The process which he then follows is almost ludicrous. Mr. Palmer sets out in search of the prototypes of the Anglican forms, travelling forwards and backwards in every direction, from Antioch to Rome, from Milan to Constantinople, from Egypt to Gaul, and from Ireland to the coast of Malabar; and, wheresoever he espies any rite or prayer, which bears, or in his fancy may bear, resemblance to some rite or ceremony in the Anglican book, that he carefully collects, to bring forward as proof of the antiquity of the latter. It matters not whether the copy and the prototype belong to the same office, or whether the several forms placed in juxtaposition have any connexion with each other: it is sufficient for his purpose that he can discover between them some similarity, real or imaginary, either in phrase or spirit. And what is the result? He exhibits to us the offices in the Book of Common Prayer, as things made up of shreds and patches,—some of European, some of Asiatic manufacture,—collected from every Church under heaven, ill-assorted, and put together in no very artistic manner. For example, as a precedent for the numerous verses from Scripture at the commencement of the *morning* service, we are referred to the capitulum, or short chapter of three lines in the Catholic office of complin,—the conclusion of the *evening* service: then the first part of the exhortation is supposed to resemble a passage in a sermon of St. Avitus, bishop of Vienne in Gaul, in the fifth century; and afterwards the reading of two lessons is justified by the example of the Egyptian monks, who, after they had sung twelve psalms, used to read one lesson from the Old Testament, and a second from the New. But, to follow Mr. Palmer in this his erratic course, would furnish to our readers neither information nor amusement. We shall hasten, therefore, to the communion service, the second part of which, answering to the canon of the mass in the Latin, and the anaphora of the liturgy in the eastern

Churches, will, on account of its superior importance, claim particular attention.

This service begins with the Lord's Prayer, and a short preparatory petition, borrowed from a different office in the Roman and Saxon missals: after which the minister is ordered to recite the Ten Commandments, to each of which the people answer by a prayer, soliciting pardon for past transgressions, and grace to keep the commandment in future. To this we make no exception. It is in perfect keeping with that humble and penitential tone, which we have already observed, that the revisors of the book sought to infuse into its offices. Still it is a novelty,—a form, of which no man, we believe, before Mr. Palmer, could discover the faintest vestige in the services of antiquity. His sight, however, is more acute: he boldly maintains that he “can trace this part of the Anglican liturgy to the apostolic age.”* But how does he trace it? 1°. He tells us that “the law and the prophets” (in other words, the books of the Old Testament), “were read in the synagogues; and there can be no doubt that from the Lord and his apostles the whole Church received the custom of reading the Scriptures in their public assemblies.” This may be very true; but how it shows that they always read the Ten Commandments at the beginning of the liturgy, he does not condescend to explain. 2°. He adds, that the author of the apostolical constitutions represents the liturgy of the eastern Church as beginning with the law of Moses.† This we are forced to deny. What does Mr. Palmer understand by the *law* of Moses?—for to us he seems by that term sometimes to mean the Ten Commandments, sometimes the books of Moses,—but what does he here understand by the *law*? The Ten Commandments? But the author of that liturgy does not so much as allude to them. The Pentateuch? That, indeed, he mentions, not however as the beginning of the liturgy, but as the first by position among the books of the Old Testament.‡ By what distortion of vision

* Orig. Litur. ii. 27.

† Ibid.

‡ The original is as follows: “Let the reader standing aloft read the Books of Moses and of Joshua, the son of Nave, and of the Judges, and of the Kings, and of the Paralipomena, and of the Return. . . . Then let one sing the psalms of David, and the people follow. After that let our Acts (the impostor speaks in the name of the apostles), let our acts be read, and the epistles of our helper, Paul. Then let a deacon, or priest, read the gospels which I, Matthew, and John, have delivered to you, and which the helpers of Paul, Luke, and Mark, have left to you.” (Cotel. Const. Apost. i. 261.) Every one must see that the lessons here mentioned were extracts from some one or other of all the books of Scripture.

Mr. Palmer could be led into this mistake, it is not for us to explain. 3°. He has still another precedent in store. "A portion of the Decalogue was read in the Church of England in Lent, beginning thus: *God spake these words,—'Honour thy father and thy mother,' &c.*" For this he refers to the Sarum missal, and might equally have referred to the Roman, in which it is the lesson for the mass of Wednesday in the third week of Lent (Ex. xx. 12-24): and was plainly selected for that day, that the lesson might be in conformity with the gospel, in which our Saviour quotes the commandment,—"*Honour thy father and thy mother.*" Thus Mr. Palmer refers to a lesson affixed to a single week-day in the year, as a precedent for one of weekly and almost daily recurrence;—a lesson consisting of the second table of the Decalogue, with much additional matter, as a precedent for one consisting of both tables, without any additional matter; to a lesson which is read consecutively without interruption, to authorise one that is broken into ten fragments, with an answer at the end of each fragment. He adds, that "the lesson was followed by a response, which is not unlike our own."* Now, this response is the Gradual, consisting of verses taken from the book of Psalms; the Anglican response is a new composition by the Reformers themselves. The supposed resemblance between the two is invisible to us; but let the reader rub his eyes, and, after comparison, judge for himself. The Gradual in the missal runs thus:—"*Have mercy upon me, O Lord, for all my bones are sorely vexed: heal me, O Lord, for my soul is sorely troubled.*"—Ps. vi. 2, 3. The response in the communion service is this:—"*Lord, have mercy upon us, and incline our hearts to keep this law.*" Yet, according to Mr. Palmer, the latter "is not unlike" to the former!

Having thus, to his own conviction, but not, we suspect, to the conviction of his readers, traced the use of the Decalogue in the liturgy through the Sarum missal, and the apostolical constitutions, to the age of the apostles, he finds himself engaged in two other inquiries arising out of the same office: 1°. whether, as is the case with this part of the communion service, it was the practice of antiquity to read one and the same lesson throughout the year? or, 2°. to read it without a title to precede, but with a response to follow it. The first he attempts to trace to a copy of an Irish liturgy

* Orig. Lit. ii. 34.

mentioned by O'Connor,* and perhaps to the liturgy of the Christian Indians of Malabar, according to a conjecture of Le Brun: for the second he persuades himself that he has found a precedent in the office for the eve of Pentecost in the Sarum missal.† If our readers have a taste for solemn trifling and unsatisfactory research, they may turn to the discussion of these subjects in the pages of Mr. Palmer: we shall pass them by, as also his comments on the prayers immediately following, that we may come at last to something which is really worthy of attention.

I. The canon of the mass, the anaphora of the Greeks, was always introduced with that prayer of joy and thanksgiving which begins with the words, "It is very meet and just," &c.; to which the people answered by chanting the seraphic hymn from the prophet Isaiah, "Holy, holy, holy, Lord God of hosts, heaven and earth are full of thy glory;" and the hymn with which the Jews welcomed the Redeemer at his entry into Jerusalem, "Hosanna in the highest: blessed is he that cometh in the name of the Lord: hosanna in the highest." Thus the reformers found it in the ancient liturgies, and thus they allowed it to remain in the first edition of the book of Common Prayer. But in the second, three years afterwards, the hymn "Hosanna" had disappeared, and its place was supplied with the words, "Glory be to thee, O Lord most high." The alteration was trifling: what could be the motive? Of that, Mr. Palmer very wisely says nothing; he is content to defend it, by appealing to three ancient liturgies,—the Clementine, the Alexandrian, and the Ethiopian,—none of which, if we may believe him, ever contained the hymn Hosanna: not that he supposes it to have been thrown out on their authority—for two of them, we believe, were unknown to the revisors—but because the omission of the hymn in these liturgies shows that it was not of universal use in the Church. But did they really omit it? There is no proof of such omission in the Alexandrian, for the rubric orders "Holy, holy, holy Lord," to be sung,

* Orig. Litur. ii. 30. It was probably one of those copied for the use of travellers, who said mass daily during their journey.

† Ibid. p. 34. Mr. Palmer might have found the origin of it in the Gelasian Sacramentary. It was, however, more properly speaking, part of the office of baptism. The regular time for administering baptism was the eve of Easter and of Pentecost; and, while the priests were catechising the persons to be baptized, these lessons were read to occupy the attention of the people. See Sac. Gelas, ed. Muratori, i. 347, 363.

meaning probably the whole of the usual response; and in the other two, instead of being entirely suppressed, it is only removed to another situation equally appropriate—the general communion. The true cause of its suppression in the Anglican service, will be found in the change which had been lately wrought in the archbishop's theological notions respecting the eucharist. He knew that this hymn had hitherto been used as an introduction to the “awful and unbloody sacrifice;” as an announcement that the Redeemer himself was about to descend on the altar, in the name of the Lord; as an address of welcome presented to him by his grateful disciples: “Hosanna in the highest: blessed is he that cometh in the name of the Lord: hosanna in the highest.” To this that prelate had no objection in 1548; but then he had not been schooled by the foreign emissaries of Calvin. At the revision of the book in 1551, his eyes had been opened: he could no longer reconcile such language with the new doctrine that the consecrated elements were only figures of the body and blood of Christ; and for that reason he directed or consented that the hymn should be erased from the corrected form.

II. Here it should be observed, that in the original book a rubric was prefixed to the prayer of thanksgiving, directing that “a little pure and clean water” should be mixed with the wine in the cup. In this, the framers of the ritual were certainly justified by the uniform practice of the Christian world. The mixture of the water with the wine is enjoined or noticed in every orthodox liturgy; it is mentioned by the most ancient Christian writers in different parts of the globe;—by St. Cyprian in Africa, by the Pseudo-Clemens in Egypt, by Irenæus in Gaul, and by Justin Martyr in Palestine. It was one of those practices which, though not recorded in Scripture, were retained, according to St. Basil, in the celebration of the most holy mysteries, because they were known by unwritten tradition.* But after the bursting forth of the new light, this very circumstance was thought a sufficient reason for their condemnation. The mixture of water with the wine was suppressed by a new rubric. Mr. Palmer does not attempt to trace the suppression to any ancient liturgy: that he fairly gives up. He is rather inclined to deny the suppression altogether, and very gravely argues that

* Εκ τῆς ἀγράφου διδασκαλίας παραλαμβάνετε.—S. Bas. de Spiritu Sancto, iii. 55.

the new rubric is silent on the subject;—that, if it does not direct, so neither does it prohibit, the admixture of water. This is truly amusing. Can he be ignorant that the object of the correction was to abolish the ancient practice? and that the act of uniformity forbade “the use of any rite, ceremony, order or form of celebrating the Lord’s supper openly or privately than is mentioned or set forth in the said book”?* The fact is, that the rubric has operated as it was meant to operate, and that this ancient practice is in consequence totally abolished in the modern Church of England.

III. In former liturgies there occur, after the thanksgiving, a petition for the whole state of the Church, a commemoration of the blessed in heaven, and a prayer for the dead: not that all these uniformly occupy the same place with respect to the prayer of consecration, but that they always precede it, or follow it. In the first book of Common Prayer, this practice was carefully observed. Immediately after the *tersanctus*, the blessing of God was invoked on all ranks of men; praise was given to Him for the wonders of his grace in all his saints, “and chiefly in the glorious and most blessed virgin Mary, mother of his son Jesus Christ, our Lord and God;” and to his mercy were commended all other his servants which were departed hence, that they might obtain from Him mercy and everlasting peace. But by the divines forming the committee of revision, who considered such petitions in that particular part of the service as founded on the doctrine of sacrifice, and who contended that the liturgy was only a rite for the administration of the sacrament,—all these were swept away; and in their place was introduced a prayer preparatory to communion. The loss of the petitions Mr. Palmer laments. He can find no precedent for their absence in the ancient Church; but the prayer substituted in their place he seeks to justify, by comparing it with one occupying the same situation in the liturgy of St. Basil. We are surprised that he did not observe the striking contrast between them. The Anglican prayer is for those who presume to approach to *the Lord’s table*,—the Basilian for those who have been called to *minister at the altar of sacrifice*.† The two prayers, instead of being alike, have different objects, regard different persons, and spring from very different creeds.

* Stat. of Realin, iv. 130.

† Orig. Litur. ii. 131.

IV. We now proceed to another omission of still greater import. There exists nowhere else (we may say, that before the composition of the Anglican service there never did exist),—a Christian liturgy without an invocation or prayer that God would bless, sanctify and make, or send the Holy Ghost to bless, sanctify and make, the bread and wine the body and blood of Christ.* How comes it that there is no such invocation in the present book of Common Prayer? It was there once, in these words: "With thy holy Spirit and Word vouchsafe to ble~~s~~ss and sanc~~t~~tify these thy gifts and creatures of bread and wine, that they may be unto us the body and blood of thy most dearly beloved son Jesus Christ."† Why was this invocation blotted out? Mr. Palmer knows that it would be in vain to appeal to any ancient document, in favour of the suppression. Hence he tells us, that the invocation is unnecessary;—to pray for the end, is to pray for the means; and therefore the prayer that we may be made partakers of the body and blood of Christ, virtually includes a prayer that the elements may be made that body and blood.‡ But the merit of such ingenious reasoning belongs to him alone: the Reformers have no claim to it. They expunged the invocation, because, in their opinion, it involved a falsehood,—namely, that the bread and wine were, after consecration, not, as they taught, mere figures, but the very body and blood of Christ.

V. Speaking of the consecration, St. Chrysostom observes, that it is not man who causes the bread and wine to become the body and blood of Christ, but Christ himself, who was crucified for us. The priest that pronounces the words is but the minister: the power and the grace are God's. The priest says, "This is my body," and the words give a new being to the things lying before him.§ On this account, every ancient liturgy contains a solemn recital of the manner in which our blessed Lord consecrated at his last supper, and puts the words which he used into the mouth of the officiating

* Ποίησον τὸν μὲν ἄρτον τοῦτον τίμιον σῶμα τοῦ χριστοῦ σου, τὸ δὲ ἐν ποτηρίῳ τοῦτω τίμιον αἷμι τοῦ χριστοῦ σου, μεταβαλὼν τῷ πνεύματι σου τῷ ἁγίῳ.—Lit. Chrys. Goar, 77. αὐτὸ τὸ τίμιον σῶμα . . . τὸ δὲ ποτηριον τοῦτο αὐτὸ τὸ τίμιον αἷμα —Lit. Bas. Goar. 169. "Ut nobis corpus et sanguis fiat dilectissimi filii tui Domini nostri Jesu Christi."—Missale Rom.

† The reader will notice the use of the sign of the cross in this prayer. That is now omitted. Can Mr. Palmer trace that omission to any ancient liturgy?

‡ Orig. Litur. ii. 138, 9.

§ S. Chrys. τ. 463. De Prod. Judæ.

minister, always the same in substance, though occasionally with some slight variation in point of expression. The framers of the Anglican ritual condescended to imitate, in this particular, those who had gone before them; but they were careful at the same time to show their contempt for authority, by setting aside every existing form, both in the Scripture and in the liturgies, and by compiling out of them a new form for their own use. Mr. Palmer is of opinion that "this resembles the form of the ancient Spanish, and probably of the Gallican Churches, in that part which relates to the bread; and the liturgies of Cæsarea, Constantinople, and Alexandria, in what relates to the cup."* If so, the resemblance must be fortuitous. Its authors appear to us to have taken the text of St. Paul for the groundwork, and to have occasionally improved it by substituting the text of St. Luke at the consecration of the bread, and by composing an entirely new form out of the united texts of St. Matthew, St. Luke, and St. Paul, for the consecration of the wine. What might be their object, it is now idle to inquire.

VI. From the prayer of consecration, the Anglican liturgy proceeds immediately to the distribution of the sacrament. Of this we have no right to complain. Where no sacrifice is intended, no sacrificial rite is to be expected. But how then can Mr. Palmer derive the Anglican liturgy from the liturgies of antiquity? 1. Is there one of them which does not contain, in the canon or anaphora, an oblation of the elements, of *τα προκείμενα*? Is there one without an offering of the sacrifice on the altar, "the reasonable sacrifice," the "dread and unbloody sacrifice," "the most awful and most mysterious sacrifice," "the pure, holy, and unspotted victim, the bread of eternal life, and cup of everlasting salvation"? Mr. Palmer may pretend that these expressions are to be understood of "the whole service or worship then performed."† We shall not insult the judgment of our readers by refuting such a pretence; but taking it for granted that every ancient liturgy includes an offering of sacrifice, while in the modern Anglican liturgy there is not a vestige left of such sacrifice, may we not ask those who profess to believe, in accordance with these ancient authorities, that Christ at his last supper instituted a sacrifice, and commanded it to be offered in his Church, how they can still persuade themselves that they worship as Christians of old worshipped, and do as Christ

* Orig. Lit. ii. 141.

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† Palmer, ii. 83, 84.

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commanded to be done, when they use a liturgy which contains no sacrificial oblation at all, and from which every rite and phrase that could bear the remotest allusion to such sacrifice has been most carefully expunged? This is a mystery beyond our comprehension.

2. In every ancient Church we find that the priest is ordered to break the bread *after* consecration, in allusion to the words of the Redeemer: "This is my body, which is *broken* for you."* Now whether it was because the Reformers felt some undefined objection to that phrase—for, in copying from St. Paul, for *broken* they have substituted *given*, from St. Luke†—we do not pretend to say: but in their liturgy they have removed the breaking of the bread from the place which it occupies in other liturgies, and have directed it to take place just before the recital of the words of the institution. We do not mean to attach great importance to this rite; but its proper place is fixed in the old rituals, and Mr. Palmer will find it difficult to trace its removal to ancient authority.

3. All Churches, probably without an exception,‡ concluded the sacrificial portion of the canon with the Lord's prayer. What place does that prayer occupy in the Anglican liturgy? It is removed, in defiance of all precedent, to the post-communion. We know of no other reason for the removal, but that in the older liturgies it was believed to be connected with the sacrifice.§

4. We find moreover, in all the ancient forms, a series of prayers immediately preceding the communion, intended as a preparation for the reception of the sacrament. Of this there is not a vestige in the Anglican ritual, which passes at once from the consecration to the distribution of the consecrated elements. Now it cannot be pretended that the omissions

* 1 Cor. xi. 24.

† Luke xxii. 19.

‡ "Sic docuit Christus apostolos suos ut quotidie in corporis illius sacrificio credentes audeant loqui, Pater noster, qui," &c. (S. Hieron. Adv. Pel. l. iii. c. 15.) We may observe that this use of the Lord's Prayer in every other liturgy, warrants a suspicion that its absence from the Clementine is owing to the negligence of the copyist, who thought it unnecessary to transcribe a form so generally known. Mr. Palmer seeks, but in vain, to avail himself of the words of St. Augustine, that "almost the universal Church concludes the sacrificial part with the Lord's Prayer (Aug. Op. Tom. ii. p. 509): for the exception amounts to no more than an admission, that there may perhaps be some Church which does not use it in that *particular part* of the liturgy.

§ "Mos apostolorum fuit ut ad ipsam solummodo orationem dominicam oblationis hostiam consecrarent." (Greg. Mag. Epist. l. ix. ep. 12.) Does this mean that they consecrated *with* the Lord's Prayer, as Mr. Palmer supposes, or *at* the Lord's Prayer, as the words import? that is, they never consecrated without adding the prayer to the form of consecration.

under these four heads are of matters of small consequence, or of matters ever before omitted by any Christian Church. How then can Mr. Palmer pretend to trace an office marked by such omissions to the liturgies of such Churches?

VII. We come at last to the communion itself, which, in conformity with the ancient rituals, was ordered to be administered under both kinds, but still with this novelty in the words employed by the minister, a novelty irreconcilable with the practice and doctrine of the ancients, that in place of "the body and blood of Christ," or, "the body, the blood of Christ preserve thy soul unto everlasting life," he should say, "take and eat this in remembrance that Christ died for thee, and feed on him in thy heart by faith and thanksgiving." But this alteration gave great offence to many, and so powerful was the opposition, that, in the first year of Elizabeth, a compromise took place, by which both forms were united, and both parties professed themselves satisfied. The advocates of the real presence understood from the ancient form, that the consecrated bread and wine were admitted to be in some sense or other the body and blood of Christ, while their adversaries took the Calvinistic form as an explanation of the other, and still contended that the whole ceremony was nothing more than a bare commemoration of that body and blood. On this subject Mr. Palmer makes no comment.

VIII. The post-communion thanksgiving follows, for which two prayers are assigned: the first of which, however orthodox and pious it may be, is acknowledged by Mr. Palmer to have no prototype in the ancient offices: but of the second he contends that it is analogous to a prayer in the liturgy of Cæsarea. We have compared them, and find them similar in nothing but their object, which is to return thanks. In the English the communicant thanks God, "who has fed him with the spiritual food of the most precious body and blood of his Son:" in that of Cæsarea, he thanks God, that "he has been made partaker of the holy, immaculate, everlasting, and super-celestial mysteries, for the benefit, sanctification, and healing of his soul and body." Who can believe that the first was derived from the second?

Here we shall take our leave of Mr. Palmer. The task which he had undertaken naturally divided itself into three branches. He was bound to show, in the first place, that those portions of the Catholic service which were introduced into the book of Common Prayer, had been in use among Christians for many centuries: secondly, that the portions

omitted, particularly in the communion service, were of little importance, or of recent and suspicious origin: and lastly, that the new matter added by the Reformers themselves had been derived from the ancient liturgies, or was at least conformable to them in spirit and substance. In the first of these he was sure of success: in the other two his failure is manifest and complete.

In conclusion, we may be allowed to express a hope, that in the foregoing remarks, nothing has escaped us to pain the feelings of any one, whose conscientious attachment to the Anglican creed has taught him to venerate the Anglican form of worship. That worship it was not our wish to depreciate; though its merit is chiefly negative,—the merit of departing less widely from the ancient models than several of the forms adopted by other Protestant churches. Still it has departed too far to be classed in the same family with the liturgies of antiquity. They in some features may differ from each other: but their common descent is strongly marked by their general resemblance.

“Facies non omnibus una,
Nec diversa tamen, qualem decet esse sororum.”

But this cannot be said of the Anglican worship. Its communion service proves it to belong to a different family, to be the offspring of a more modern and reformed creed. With the older Churches, the Eucharist was the celebration of a sacrifice: in the Anglican, it is confined to the administration of a sacrament.

ART. VI.—*The Quarterly Review for December 1840.*

IN proceeding with our observations upon the subject of the paper called “Romanism in Ireland,” we feel it necessary to make some apology to the reader. It is in the first place not usual for one Review to enter directly into a controversy with another. It may be observed, in the second place, that the prolongation of such a contention for several successive numbers of a Review, is of course much more unfrequent than the existence of the contention itself: whilst it may be said in reference to the particular paper called “Romanism in Ireland,” that it is in every point of view so completely contemptible, as to be utterly undeserving of any notice; and that in any event the exposures which we have already made of its absurdities, falsehoods and fabrications,

are so complete, as to strip the writer of the last rag of hypocritical and impudent assumption with which he had attempted to cover the sophistry and falsehood which literally make up the whole substance of the composition. In answer to these objections we have to say, that the article in the *Quarterly*, though supremely contemptible in the eyes of all persons who are acquainted with the real facts of the case, is yet a fair average specimen of the truth and ability with which the same subject is discussed in general by the party to which the *Quarterly* belongs; whilst the presumption of the writer, though farcical to the very last degree in the eyes of the well-informed, produced in the minds of many persons ignorant of the real truth, an impression that there must be *some* foundation for the assertions of a writer who openly arrogated a superiority of sagacity and of knowledge, above all persons that had ever administered or ever treated of the affairs of Ireland before. Of the falsehoods and absurdities of all sorts which make up this composition, we have already given some very significant specimens. We shall now proceed to lay before the reader a few additional samples of the same commodity. It being a principal object with the professor to prove that the outrages committed in Ireland are all the result of Ribandism, and that Ribandism itself, whatever it be, is excited by the Catholic clergy, he naturally finds himself a little embarrassed by the notorious fact that the exertions of the Catholic priests are invariably directed towards the suppression of secret combinations of every form and for every object. Out of the difficulty created by this condition of affairs, he attempts to scramble in the following manner:

"But the priests denounce ribandism. Undoubtedly; the old priests did: and for so doing were ill-treated by their bishops. This has been proved. But so did Dr. Doyle. Undoubtedly."—p. 156. "But the priests, it is acknowledged by witnesses, do give their assistance in repressing disorder. Undoubtedly. But do the same witnesses prove that whilst there is an open repression, there is a secret instigation of sedition?"—p. 157. This very elegant writer appears to have established such an exclusive right to the word "undoubtedly," that it is not without some apprehension of being charged with trespassing upon his property, that we venture to say that "undoubtedly" it would be rather desirable that we should have been referred to some evidence upon the subject in respect to which the writer has uttered such infamous calumnies with so cool a confidence. He asserts, interrogatively, that

"the witnesses prove that while there is an open repression, there is a secret instigation" of ribandism. We are not informed what witnesses are referred to in this passage. But if the allusion be made, as it evidently is, to the witnesses who were examined upon the subject before the Roden committee, in 1839, we can with perfect confidence characterise the statement as a rank falsehood. We shall not content ourselves with making general allegations, which is the favourite course of the writer in the *Quarterly*, and which is perfectly suitable to his character and principles—*Dolus enim versatur in generalibus*. We shall upon this, as upon every other part of the case, give our readers an opportunity of judging for themselves, by producing the very evidence which has been given upon the subject.

Captain Despard, who has been for seventeen years connected with the Irish constabulary, who has been a stipendiary magistrate since 1835, and who was one of Lord Roden's own witnesses, gave the following testimony before the committee of 1839, respecting the conduct of the Catholic clergy.

"I have had communications with them whenever disturbances took place in the neighbourhood, and they have shown great anxiety to assist the police."

"The Riband system has been dormant for a considerable time in some parts of Ireland, in consequence of the exertions of the Roman Catholic clergy." (3219.)

"He heard from the priest that some persons with whom he had remonstrated had given up the society." (3234.)

"The Roman Catholic clergy in Meath used efforts beyond the common to put a stop to the Riband system." (3269.)

"He says that he could give many reports, informations on oath, and many others, of the efforts of which he had been speaking, made publicly in the chapels from the altars: one Ribandman told him that he had not been to confession for many years because he was a Ribandman; another told him that he was obliged to leave the system, as the priest would not hear his confession."

"He states another instance to the same effect, where several persons gave up the society because the priest would not hear their confessions, nor administer the sacrament to them, and declared that he would not visit them EVEN ON THEIR DEATH-BEDS, unless they had previously renounced the society." (4032.)

"Elsewhere he states, that the priests have made a 'steady resistance' to the Ribandmen going to confession (3263), and that,

"Where the Ribandmen are the most numerous, the priests are the most anxious to put them down. The system puts an end to the power of the priest over the population." (3287.)

"He believes that they, the priests, look to the increase of Ribandism WITH THE GREATEST ALARM." (3449).

"His belief is founded upon *his own observation*, upon the *open and avowed anxiety of the priests*, and upon the *speeches reported to him to have been made by the priests at the altar.*"

"Parish priests and curates have *equally expressed their horror of it.*" (3450.)

"He states an ineffectual attempt which had been made by the Rev. Mr. Newman, Roman Catholic curate of Courtown, in the county of Meath, to induce a body of supposed Ribandmen to disperse." (4023.)

"He states, that a Roman Catholic clergyman has *sworn before him an information*, which is to be prosecuted at the next assizes, regarding a proposal to shoot a gentleman nineteen miles off." (4072.)

"Both classes of the Roman Catholic clergy have *shown the greatest anxiety to assist in putting down ALL DISTURBANCES.*" (3448.)

Mr. Barrington says, in answer to questions 7457 and 7458,

"We have often received information from the Roman Catholic priests." (7457.)

"In the late disturbances in Clare, the priests *preached against them from the altars*, and *did EVERY THING in their power to put down the disturbances.*" (7458.)

Captain Warburton mentions, as a specimen of the conduct of the Catholic clergy (14,005), "that he had, upon one occasion, *found forty stand of arms* in a search; that *the success of the search was ENTIRELY owing to information furnished by the Roman Catholic priest*," of whom Captain Warburton spoke in terms of the highest praise; who afterwards was able to detect some other arms, which he caused to be delivered to the captain. The same gentleman says, that he "was able to bring the perpetrators of an outrage to justice *solely through the information given by a priest*, and through his *valuable and meritorious exertions*, for which he received *the special thanks of the lord-lieutenant*, at the express recommendation of Captain Warburton himself."

Colonel Shaw Kennedy says, "The priests in Longford, and *generally throughout Ireland*, have *used their influence for the prevention of crime*. When I went to the county of Longford, *they waited on me*, and offered *every assistance in their power* in their respective parishes to prevent crime. And I have no doubt *whatever*, that they did *every thing in their power for that purpose*. If any violent address had been made from the altar, and had come to the knowledge of my inferior officers, *it would have been their duty to report it to me*. But I have never received any such report." (347-353.)

Captain Vignoles says, that "whilst engaged in prosecutions he had received *very great assistance from the Roman Catholic priests*, and that latterly." (4010, 4011.)

Captain Vignoles was a stipendiary magistrate for eight years, and in continual hostility with Lord Mulgrave's go-

vernment. He was one of Lord Roden's witnesses. At the late election he was the Tory candidate for Ennis.

Mr. Ford, sessional crown prosecutor for the county of Meath, says—

"That he has known them *always—invariably—to denounce ALL SECRET SOCIETIES, and endeavour to prevent crime; and that he has known them to give such information as to prevent the commission of crime.*" (14,184, 14,786, 14,909.)

Mr. S. Jones, a stipendiary magistrate, says, "I have in *many instances* received the greatest possible assistance from the Roman Catholic clergymen in the preservation of the peace: I can cite instances of it, *if your lordships please.*"

Mr. Jones is an Englishman, for sixteen years connected with the constabulary force. It is unnecessary to say that their lordships *did not please* to hear anything further on that side of the subject. The witness, however, says, that

"The Roman Catholic priests supplied *the means of prosecuting to conviction*: that he acted on the information which they gave, and several men were convicted upon it: and that he received assistance from them *in every instance where they could afford it.*" (14,528, 14,529, 14,530.)

Mr. Drummond says, "the conduct of the Roman Catholic clergy, as far as it has come within the observation of government, *has always been MOST EXEMPLARY.* The Constabulary Reports abound with instances of exertions made by the Catholic clergy, with regard to *every cause which tends to a violation of the laws.* I cannot therefore, express myself too strongly when I am questioned as to my belief in their sincerity." (13,992-13,375.)

Mr. Cahill, sessional crown prosecutor for Tipperary, says, "*The amount of crime is GREATLY REDUCED by the influence of the priests, and but for that influence there would be in Tipperary a much greater quantity of crime than there is at present. The priests are THE BEST POLICE against the commission of crime: they use EVERY EXERTION to suppress it, and in MANY INSTANCES do succeed.*" (10,851.)

Mr. Howley, the assistant barrister of the county of Tipperary, states, "that the Roman Catholic clergy have *always* (as far as his experience goes) endeavoured by their influence to *prevent crime*, and that they have shown *extreme anxiety* to keep the people from acts of riot and tumult." (10,157.)

Major Warburton says, "*No complaint has been EVER made to me of their having ever recommended CRIME OF ANY SORT!*"

The same witness also gave the following evidence:—

"I have *very frequently* received *very active assistance* from them; they have been *generally very anxious* to assist in preserving the peace and *discovering the perpetrators of crimes*, and have given *previous notice*, both to the police and to the intended objects of attack, of offences about to be committed, so as to *prevent the commission of the offences.*" (821-27, 850.)

"There were *many instances within my own knowledge* in which the priests have, *both directly and indirectly*, given such information *as led to the conviction of parties* by whom outrages had been committed."

And finally, the same Major Warburton expresses himself concerning the same Roman Catholic priests in the following terms:—

"*I cannot name ANY INSTANCE in which, to my knowledge, a priest has known of an offence AND HAS NOT GIVEN information.*" (853.)

Such has indeed been the conduct of the Catholic clergy of Ireland, from the very commencement of the existence of outrages in that country, which era is fixed at the year 1761. These outrages were occasioned by the conduct of the landlords, who, to use the language of Lord Clare, "ground the peasantry to powder," and reduced them to so hideous a necessity, that, as the lord bishop of Cloyne observed (*Argument*, p. 32), "it would be an act of humanity and mercy towards them to adopt the more humane policy of the Indians, and put them to death," inasmuch as "they had no other alternative but to commit a violation of the law for the support of life, or to perish of hunger, in submission to the regulations of property." (*Ibid.* p. 28.)

At this period (in 1762) we find the Catholic bishop of Cloyne issuing a circular to his clergy, earnestly requiring them to use all their influence as pastors, for the preservation of the peace; and to proceed by ecclesiastical censures against the wretches who were tortured into a disturbance of the public tranquillity. An extract from this document will show *the danger to which the priests exposed themselves* in performing this thankless service in behalf of a hostile government.

"As to my order (the bishop says) concerning the general exhortation relative to those disturbances, *I have sufficient testimony of its having been executed according to directions.* But for the censures, the said frontier parish priests sent me a remonstrance, desiring that they may be excused and dispensed from issuing any menaces of spiritual penalties, until such time as the clergy of the neighbouring dioceses should have proceeded to act in like manner, alleging for their excuse, that as they had been assured, and as it really appeared from all circumstances, the different bands of those nocturnal rioters were all entirely composed of the loose and desperate sort of people, of different professions and communions, who showed as little regard to religion as to morals; *they apprehended immediate danger with regard to the safety of their persons*, if they made themselves singular in proceeding to censures against a multi-

tude of dissolute night-walkers, who had already given so many terrifying proofs of their rash dispositions, as well as of their disregard to all laws, and contempt of all characters.”*

In 1775, the Whiteboys in Kildare *buried a Catholic priest naked in the ground up to the neck*, after having first surrounded him with brambles and thorns, and *threatened the like usage to every other priest* upon whom they could lay their hands, *on account of the endeavours made by the priests to dissuade the Whiteboys from their wicked practices.*† Arthur Young says, that

“The first effective resistance to the Whiteboys of Kilkenny, was made by the Catholic inhabitants of Ballyragget, who formed an armed association, and repulsed with considerable loss a large body of Whiteboys, who attacked a house in the town on the 21st January 1775.”

Young travelled through that county in 1776, and collected his information on the spot.

A general *excommunication against the Whiteboys by the Catholic Bishop of Ossory* was read in all his chapels in 1779, at which time the Whiteboy outrages prevailed principally in that neighbourhood. A pastoral letter to the same effect from the same prelate in 1784 is mentioned in Plowden's *Hist. Rev.* vol. ii. part 2. The following placard was posted by the Whiteboys upon the churches and chapels in 1787:—

“You are hereby cautioned not to pay ministers' tithes, only in the following manner, *viz.* potatoes 4s. per acre, wheat and barley 1s. 6d. per acre, oats and meadows 1s. per acre. *Roman Catholic clergy to receive for marriages* 5s., for baptism 1s. 6d., for confession 6d. You are hereby warned not to pay clerks' money, or any other dues concerning marriages; be all sure not to go to any expense of your confessing turns, but let them partake of your own fare.”

Nor did the Whiteboys at this time confine themselves to regulating the dues to be paid to their own clergy; but they also, *in many cases, attacked their persons.* It is distinctly stated, more than once, by Mr. Hely Hutchinson, the secretary of state, in the debate on the bill for the Protection of the Protestant Clergy, that the Catholic clergy had likewise suffered from the violence of the Whiteboys. Several instances of the maltreatment of priests by the rioters are mentioned by O'Leary in the following passages:—

“Was not a Father Burke (he says) obliged to quit his parish the same day that Archdeacon Tisdal quitted his? *Were not balls*

* O'Connor's History of the Irish Catholics, Part i. App. No. ix. p. 26-29.

† Annual Register, for 1775, p. 170. Lewis, p. 31, 28, 30.

fired at Father Sheehy? Were not two clergymen, one a secular and the other a regular, robbed the same night of their wearing apparel? Another parish priest, a venerable old man, who was never charged with any extortions, and who, in my presence, challenged his congregation to bring forward any charge against him, was robbed of what little he had to support him in his old age, even of his very bed. Another, on suspicion of having brought the army to his congregation to prevent the deluded people from swearing, was on the point of being torn limb from limb at his altar, had not a gentleman stepped forward and said, that he himself was the gentleman who had applied to the magistrate for that purpose. The gentleman himself narrowly escaped with his life, through the interposition of the vicar-general, who had the presence of mind to step, with the crucifix in his hand, between the gentleman and the enraged multitude, crying out to them with a loud voice, 'I conjure you, in the name of that God whose image I hold, not to pollute his altar with murder.'—O'Leary's Defence, p. 147.

The hostility thus shown towards the priests by the Whiteboys was principally earned by the activity which, from the beginning, they showed as a body in opposing the Whiteboy combinations.

The zeal of the clergy in opposing the rioters proceeded to such a length, as to have completely annihilated their influence over the people about 1786. (Newenham, cited by Lewis, p. 71.) In a petition presented to the Irish House of Commons in 1787, when the clause *for demolishing all their chapels* was to be debated, it is alleged that

"In suppressing the late disturbances in the south, the Catholic nobility and gentry, with *the prelates and inferior clergy*, had been *most active*. That during these disturbances their *chapels* had been *nailed up*, and their *pastors abused and forced from their parishes*, and no distinctions made in the paroxysm of popular frenzy."—Lewis, *ibid.*

Referring to the insurrection of the Rockites, Major Willcock says that

"The Catholic priesthood have *exposed themselves to considerable personal risk and danger in consequence of their exertion to maintain the public peace*."—H.C., 1824, pp. 111-12.

James Lawler, Esq., a magistrate residing in Kerry, says, that "all the peasantry of Munster would have been up in 1821-2, BUT FOR THE PRIESTS." (*Ibid.* 448.) Robert de la Cour, Esq., banker and treasurer of the county of Cork, bears testimony to the same effect, and makes particular mention of the parish priest of Mallow, for the very essential service rendered to that district by his exertions and communications. (*Ibid.* 1825, p. 5667.) He stated that there were many in-

stances in which the clergy had actively exerted themselves to repress the outrages, and induce the populace to surrender their arms; and that the clergy by such conduct exposed themselves not only to personal danger but to the loss of their income, which depended upon the voluntary contributions of their flocks. In 1825 the Protestants of Maryborough (Queen's County), with the rector, Mr. Waller, at their head, sent a deputation to Mr. O'Connor, the Catholic priest, to know in what manner he would receive an address from them, expressive of their gratitude for the services which he rendered in preserving the peace of the county. (Lewis, p. 206.) He stated before another committee of the House of Commons seven years later, 1832, that the priests in his diocese, as well as in that of Ossory, had been frequently threatened with injury in consequence of their denunciations of the outrages; and mentions a case in which, for that cause, a priest was assaulted in 1832. (No. 3241, 3249.) The Right Honourable Denis Brown says, that he knows of his own knowledge, that at all times the Catholic priests did most seriously oppose the disturbers of the peace. (Lewis, p. 141.) In 1832, Captain Despard says

"That the Catholic clergy, in his neighbourhood, were doing every thing in their power to stop the outrages; and that the clergy, both priests and bishops, had called upon the peasantry to surrender their arms; but that the insurgents paid little respect to the clergy, and that their disinclination to obey them was increasing." —H. C., 1832, pp. 575-79.

Mr. John Dillon stated before the same committee, that the efforts of the clergy to repress disturbances were ineffectual, and ended in destroying the influence of the priest over the flock. (Ibid. pp. 2481-85.) Before the same committee Mr. Miles O'Reilly, whilst detailing some particulars tending to show the connexion between a particular priest and the Whitefeet, says, "I am very certain that collectively the priests have been and are very much opposed to the system of Blackfeet and Whitefeet." The particular case to which he alluded was tried at the special commission at Maryborough, and the attorney-general said, that "in his opinion it was not possible to say that there appeared a single fact warranting any criminal imputation upon the priest in question."

Taking the whole of this evidence together, it covers the entire period from 1760, the era of the commencement of modern outrages, down to the sitting of the Roden Committee in 1839; and we confidently ask the reader to decide whether there was ever produced a more complete or decisive

mass of testimony than that which we have collected in favour of the Catholic clergy?

Upon the same subject the late Earl of Kingston gave the following evidence before the Committee of 1824-25 :

"As far as I have had an opportunity of observing, or of hearing, what has been the conduct of the Catholic priests in relation to these disturbances, it has been very excellent: *one* bad priest has come under my knowledge in Ireland. All the rest I have found very exemplary men, and very active to preserve the peace, and maintain loyalty."—*Evid. of the Earl of Kingston, Dig. of the Rev. Mortimer O'Sullivan and Dr. Phelan*, part ii. p. 61.

The offence which his lordship imputed to *the one bad* priest was, his having "preached a kind of sermon in favour of the Catholic rent"! (Ibid.) The noble lord goes on to say, "I know this priest very well, and he is the only priest I ever met that I think ill of; and that is saying a great deal of so large a body." We should like to know of what other body of men, large or small, such a character could be given with truth.

As it is a favourite part of the professor's theory to establish a connexion between "Romanism" and Ribandism, he returns to the assault in all varieties of untruth, and in reference to every division of the subject. In page 158, we are informed that "It has been proved before the Lords' Committee, that Ribandmen are applied to by the *priests* for assistance in contested elections." In support of this assertion, there is not the slightest citation of evidence, nor even a reference to any. For our parts, we believe that the statement is totally and absolutely false; and that there does not exist any such evidence as that upon which the writer professes to found his assertion. It is of course impossible for us to go through the whole body of the testimony for the purpose of establishing the negative. We shall, however, produce all that we ourselves believe to exist in the Report of the Roden Committee, upon the subject of Ribandism in relation to elections. At No. 1737, Mr. Rowan says, "I have no doubt but the society has exerted itself at a general election, as an *individual Ribandman told me* that they would have the county so organized as that they should be able to chair a cabbage-stalk. This," says Mr. Rowan, with due solemnity, "was precisely the Ribandman's expression."

The reader will perceive, that in this ridiculous balderdash, such as it is, *there is no mention at all of a priest*; whilst the very same identical Mr. Rowan says, (No. 1742) *I cannot*

state ANY INSTANCE in which the Riband Society was used for any purpose in reference to an election! Major Warburton, however, says (673 to 676) that he *thought some* use was made of the Society at the great Clare election, at which Mr. O'Connell was returned in 1828; but added, that he could not mention any other instance where it was supposed to have occurred. These two statements contain, as we believe, every syllable of evidence to which the *Quarterly* could appeal in support of the statement that Catholic priests had applied to Ribandmen for their assistance in contested elections. The first thing to be observed about these passages is, that not a syllable is contained in either statement about the Catholic clergy at all. In reference to the general assertions of Mr. Rowan, we need only say that his gullibility was so prodigious as to be indeed incredible. Mr. Kemmis, who is a pretty staunch Conservative,—who has been for nine-and-thirty years the crown solicitor of the Leinster circuit and of the county and city of Dublin, and who has for the same period been solicitor to the Treasury in Ireland,—this gentleman examined, with a view to prosecution, all the rignarole “information” sent up from time to time by Mr. Rowan, and concluded the enquiry by deciding that there was nothing tangible about the statements, and that it was impossible to decide *whether the whole was not a fabrication*. (Quest. 6779.) The commissioners of police in the city of Dublin had for some time daily interviews with Mr. Rowan upon the subject of Ribandism, but never could get from him any information, except a statement that the Riband Societies now expected to *make O'Connell king of Ireland, and to overthrow the Protestant religion, WITH THE ASSISTANCE OF THE DUKE OF LEINSTER!* (Q. 4777.)

With regard to Major Warburton, the grounds upon which his opinion was founded are truly ridiculous. “The mode,” says he, “in which IT APPEARED to me to work was, that as soon as *the persons* came up to the court-house, they received *some sign, some signal*, and immediately upon that they voted directly contrary to what *appeared* to be their *intention* to do.” (676.) He does not even profess to say that he *saw* any signal, much less that he knew anything about the person from whom it was imagined to proceed. Mr. Mitchell, speaking of his translation of a part of Aristophanes, informs us that he has occasionally translated nods and gestures, as well as mere words.* If Major Warburton should happen to

* ΣΦΗΚΕΣ, v. 943.

be inferior to Mr. Mitchell in the fidelity of a translator, he is at least much superior to him in the inventive imagination of a poet. Mr. Mitchell translated only nods that were nodded, and gestures that were gesticulated; but Major Warburton devises the gesticulation first, and translates it afterwards. *Somebody* appearing to have *some* intention to vote for *some* candidate, comes to the court-house, and there *appears* to receive from *somebody* *some* sign, of which the consequence *appears* to be that he votes in *some* way different from *some other* way in which he had *appeared* to have *intended* to vote;—argal, says the major, *some* use *appears* to have been made of the Riband Society at the great election for Clare in 1828! Such is the extent of the case, upon the major's own showing;—such the premises, and such the conclusions, of the Roden committee, and their literary assistants. Let us now see how the matter stands upon the other side of the question.

Major Brown, the commissioner of police in Dublin, who has had great experience as a magistrate in all parts of Ireland, says that *he never heard of any interference by Ribandmen at any election.* (5061-2.) Captain Despard says (3213) that Ribandism had not *extended at all into the south*, where Clare is situated. Major Brown says (5081 to 5089) that no Ribandism exists in several counties which he mentions, *including Clare*; whilst Mr. Barrington, who has for nearly thirty years been crown solicitor of the Munster circuit, which includes the county of Clare, says:

"*I never could trace upon my circuit such a society as Ribandism is described to be, and I believe that no such societies have existed there during my time. We never had a case of Ribandism on my circuit; in fact, I hardly know what it is.*" (7540, 7541, 7514.)

"*I hardly think it could be upon the circuit without my knowing it.*" (7516.)

"*I have never even heard that any papers requiring investigation were found there.*" (7542.)

"*I think it highly improbable that any system of combination or of premeditated mischief to any considerable extent could prevail in my circuit without my knowledge, as I have been for years anxious to find out the cause of every outrage, in order to discover what would be the appropriate remedy to prevent the recurrence of disturbance.*" (7442.)

Such evidence from such a man disposes pretty effectually of the subject-matter in controversy. Before we conclude, however, we may as well produce an extract from another part of the evidence of Major Warburton himself, who says:

(976) "that he does not think he can state any circumstance of outrage or breach of the law connected with the operation of the Riband Societies. *There is nothing of that kind on his recollection.*" He adds: (721) "I know no instance in which Ribandmen have intimidated a juror, and know *no object of any kind which they have been the means of effecting.*"

Upon turning over the index to the report of the Roden committee, under the separate heads of "Ribandmen," "Elections," and "Roman Catholic Priests," we find not the slightest allusion to such an event having been stated by any body, as that any priest had, according to the statement of the *Quarterly*, applied to any Ribandmen for assistance at a contested election. Under the head of "Roman Catholic Priests," we find the following statements:—"They *oppose Ribandmen,*"—"refuse confession to Ribandmen," and—"denounce Ribandism wherever it has existed"! Such is the evidence given before the Lords' committee upon a subject, in reference to which the Professor of Morality at Oxford has the effrontery to state that it was proved before the Lords' committee, that priests were in the habit of applying to Ribandmen for their assistance at contested elections!

Such is the evidence upon which an Anglican minister, a professor of ethics, and an instructor of youth in an university, founds a declaration that the Irish Catholic priests encourage Ribandism and outrage,—a declaration which is as *nakedly and flatly* BELIED by every sentence of the evidence as it is indeed by every existing fact connected with the subject. If such infamous falsehoods had been asserted of any private family or individual in a respectable position in life in England, all the salaries of all the professors in Oxford would not be sufficient to pay the damages which an honest and enlightened jury of Englishmen would award as a compensation for so diabolical an injury.

But we must do the professor the justice to say that the baseness we have been describing is not peculiar to him, and that the conduct of Mr. Colquhoun in the House of Commons, upon moving for leave to bring in a bill upon the subject of the College of Maynooth, was perfectly worthy of his *collaborateur* in the *Quarterly*. After having stated at great length his objections to the principles which were taught at Maynooth, he proceeded to allege as a matter of fact, that the persons who had been so instructed at college, became afterwards the inciters to Ribandism and outrage, in their character of priests. Being called upon for his authority for so monstrous a falsehood, he cited the evidence of—whom

does the reader suppose?—*the identical Captain Despard, from whose testimony we have taken the first fourteen of the extracts which have been just presented to the reader.* But when Mr. Colquhoun was called upon for a reference to the place where the evidence was to be found, he said that he forgot it. Whether Captain Despard ever gave such testimony as that represented by Mr. Colquhoun, is a fact concerning the probability of which the reader will not have much difficulty in coming to a conclusion, after having perused the fourteen extracts which we have above inserted from the testimony given by the same gentleman before the Roden committee of 1839. But Mr. Colquhoun seems to be a privileged individual. On the 2d of April he wrote a letter to the *Times*, declaring that the editor of that paper had committed a great mistake in calling him a "conscientious Presbyterian." He goes on to say that he has been from his infancy a member of the Church of England, to which he is extremely devoted: that however he formerly, *and whilst a member of the Church of England*, became an elder of the Church of Scotland, and communicated according to its forms: that, however, this connexion, which he calls *ostensible and abusive*, has now ceased altogether, but that he still will continue to give his "most earnest support to the Church of Scotland," believing such to be his duty "*as a landed proprietor in Scotland, and as the representative of a Scotch constituency.*" Upon this principle, if Mr. Colquhoun had been so fortunate as to obtain the fair hand of Miss O., the celebrated Irish heiress, he would be obliged, as a landed proprietor in Tipperary, and as the representative of an Irish Popish constituency, to "give his most earnest support" to the Church of Rome. This kind of topographical and territorial, conforming, contingent, or as the conveyancers would call it, resulting orthodoxy, which arises out of the elective franchise, and is "based upon landed property," is as great a convenience in its way as Mr. Gladstone's late application of algebra to theology. But the drollest part of the whole matter is Mr. Colquhoun's method of "backing his friends;" for he concludes the letter to which we have already alluded, by expressing his determination to oppose any law wherby the state should be authorised to give to the ministers of *any other sect*, any part of the provisions, which he trusted would be reserved for ever to the *exclusive use* of the clergy of the English Established Church. He consents, however, in the particular case under consideration—that of the union

poor-houses—to the clergy of the other persuasions having access, and rendering all sorts of spiritual assistance to the members of their separate communities, “*but without receiving any pay.*” Whether this original, and not very Scottish method of “giving the most earnest support” to the clergy of the Scottish Church in England, will be considered perfectly satisfactory to that practical body of divines, is a matter upon which we shall not pretend to deliver any opinion; one thing only is perfectly clear upon the whole subject, namely, that the writer of such a letter as that of the 2d of April, must be entirely above the ordinary principles of morality and religion, and be, in fact, “a law unto himself.” He may, therefore, perhaps, consider himself at liberty to quote evidence which does not exist; or out of a thousand statements to select one which is contradicted by the other nine hundred and ninety-nine, and to represent that one as a fair sample of the whole. These courses are also as much open to a professor of ethics, as to a Prelatico-Calvinistico-Luthero-Presbyterian. But whatever other privileges the professor may claim in right of any Church to which he may belong, whichever that Church at present may be, one thing is perfectly clear, namely, that he cannot pretend to be ignorant of the evidence of Captain Despard, seeing that it is not only contained in one of the books at the head of the article in the *Quarterly*, but has been *actually referred to by himself*, in the course of *that very article*, and in the *very middle of that part of it* in which he especially charges the Catholic priests with encouraging Ribandism, sedition, and outrage.

With regard to the other portions of the evidence which we have cited: a few passages of it are taken from books perfectly well known and of established authority, and *all the rest* from the *very documents* upon which the article in the *Quarterly* professes to be founded. *Thirty-one of our preceding extracts* are from the *very latest parliamentary report* to which the professor himself refers, and the name of which he has placed at the head of his article. Did he really read these documents with which he professes to be so familiar? If he did not, what adequate idea can we form of the effrontery of quackery with which he speaks, “like the oracle of old,” concerning matters in respect to which the only oracular qualities which he possesses are darkness, imposture, and an incapability of expressing himself in the vernacular dialect. If he were truly acquainted with the subject in question, our readers will agree with us in deciding that his “moral philo-

sophy" is certainly a matter of "profession." He has himself referred us to the work of the now celebrated Peter Dens for a theory of mendacity. If any man wishes to see that subject exemplified in the most unmitigated *practice*, we can only refer him to the Professor of Ethics in the University of Oxford.

Seeing with what little ceremony the professor advances against the Catholic clergy an accusation in which there is not a particle of truth at all, nobody will be surprised at his imputing to them *exclusively* whatever impropriety may seem to him to be involved in any course of conduct which they pursue in common with almost the whole remainder of the community. Accordingly, we find the learned writer before us, asserting that the opposition to the payment of tithe was entirely excited by the priests, and that the agitation and resistance upon that subject were of modern growth, and exclusively produced by Dr. Doyle and his coadjutors.

In pp. 155-6, he says:—"The tithe movement did not emanate from the people, who had *cheerfully(!)* paid their tithes before,—and whose resistance was *for the most part compulsory*"!!! We are informed in page 161, that Dr. Doyle and his coadjutors in their chapels compelled the peasantry to withhold the tithes which *they were willing to pay!* In the same page we are told that the "tithe agitation was carried on *against the will of the people*"!!! In answer to this we beg leave to present to the reader the following testimony selected from some dozens of passages of the same nature. The Rev. William Phelan, B.D., being examined upon the subject before the House of Commons in 1825, says (Report, page 527):—"In justice to Dr. Doyle and the other Roman Catholic ecclesiastics, I must say, that what is called the grievance of tithes is *as much spoken against by Protestant landholders* in Ireland, as by the Roman Catholic ecclesiastics. There is a *remarkable coincidence* in the language of the two classes upon the subject." Dr. Phelan was a fellow of the Irish University, and was at the time of giving this evidence in the enjoyment of a large living, which had been conferred upon him by the present Primate of Ireland, Lord J. G. Beresford. Dr. Phelan is the author of two of the works which are enumerated in the list preceding the article in the *Quarterly*; the evidence which we have quoted is contained in a third of those works; and finally, Dr. Phelan was a Tory, and a convert from Popery. Seven years after the evidence of Dr. Phelan had been given, Major Singleton, chief

magistrate of police, stated to the committee of 1832,—“That *nine-tenths of the Protestants of the Established Church* in Ireland, to whom he had spoken upon the subject, *were hostile to the payment of tithes, and objected to pay them to absentee clergymen.*” The same witness stated, “that they also desired a *reduction of the establishment itself*, by diminishing the number of the bishops and other dignitaries”—Nos. 4157-62. Major Singleton is one of the witnesses quoted in the *Quarterly*; and the report of 1832 is one of the works upon which reliance is placed by the writer. We shall trouble the reader at present with only one more extract upon the same subject. Mr. de la Cour, the well known banker of Mallow, who was also the treasurer of the county of Cork, stated before the same committee, that the bishop of Cork used to say to him, “that if the truth were known, there was *scarcely a country gentleman in Ireland that was not a WHITEBOY in his heart.*” This bishop was Dr. St. Lawrence, who, being a country gentleman himself, and the son of a peer, was thoroughly well acquainted with the feelings which prevailed upon the subject among the class, or rather classes, to which he belonged. Indeed the professor himself, *more suo*, furnishes us in another place with a complete contradiction to himself; and if any thing coming from him could add any value to the testimony of Bishop St. Lawrence, Dr. Phelan and Major Singleton, it would be afforded by the following passage from page 132 of the *Quarterly Review*:

“The landlords of Ireland are already *in possession of one portion of the tithes*, and can withhold the rest, and *unless some wonderful change comes over the spirit of EMBARRASSED MEN in IRELAND*, it may not be long before the government might look with confidence for their (the landlords’) *ENERGETIC assistance in shaking off THE BURDEN ALTOGETHER.*”

Our readers, who are now becoming used to the professor’s method of doing business, will not be surprised to find that these same landlords in page 141 are said *not to be embarrassed in their circumstances, or disposed in their inclinations to plunder the Church*, after having been previously described by the same writer, in the same article, page 132, as *having already stripped the Church, and helped themselves to ONE PART of the tithes*, and as being *so much embarrassed in their affairs*,*

* Among the causes why of late years the number of Protestant children at school has been diminished, Mr. Phelan mentions (Digest, part ii. p. 24, note 1) “the *pecuniary difficulties by which the Irish gentry were embarrassed.*”

and so predatory in their inclinations, that *nothing short of a miracle can protect the Church* against being robbed, and that very soon, by these *same landlords*, of that portion of the tithes which they have left with the Church for the present. Indeed, it is a fact not perhaps generally known at the present day, that *the original instigators of that species of Whiteboyism* whose operations were directed to the annihilation of the tithe impost, were the *Irish landlords themselves*. Of this fact there exist numerous proofs of the most unquestionable character; and as we conceive it to be of great importance that correct information should be diffused upon this part of the case, we shall turn aside for a moment, in order to present the reader with some historical details upon the subject.

From the Reformation to the Revolution, a period of about a century and a half, the state of the Establishment in Ireland was such as to afford no opportunity for calling forward the plundering propensities of the Irish Protestant gentry, as the tithes at that period were of no great value. "The clergy of the Establishment," as we are informed by primate Boulter, "accepted whatever they could get, and *very few of them ever went near their livings, to do their duty.*" (*Letter to Walpole*, August 9, 1737.) Affairs continued with more or less alteration in this condition, until the battle of the Boyne and the surrender of Limerick threw all the benefices into the actual possession of the clergy of the Reformed faith, who began soon after to demand the tithe of agistment. This demand was *resisted by the Protestant landholders, as it would fall exclusively upon themselves*. The clergy in these circumstances applied to the Court of Exchequer, which decided that they were entitled at common law to the tithe. Notwithstanding this decision, the landholders refused to obey the decree, and the court was ineffectually employed for no less than thirteen years in attempting to compel them to submit to the law for the support of the Church. At last, in 1734, *they entered into a general combination for the avowed purpose of defeating the law; and associations of the Protestant gentry* for that purpose were formed all over the country. Boulter describes the associations as consisting of *most of the lay lords and commoners*, and says that plans of resistance were sent down to the counties, to be *signed at the assizes!* that in some cases they talked of *choosing a county treasurer, and making a common purse* for the purpose of supporting any person against whom the clergy may proceed for the tithe of

agistment; and that a degree of rage equal to anything that had ever been manifested against the Popish priests, was exhibited against the clergy of the Establishment by the landlords of their own communion. (*Letter to Lord Anglesea*, Jan. 8, 1736.) He states in the same place, that the eldest son of Lord Abercorn had not only introduced into his leases *such covenants as disabled the clergy from collecting their dues*, but that he *distributed amongst his tenants a paper* which, though strictly and formally legal, would produce the effect of very much distressing the clergy. The primate goes on to state in the same letter, that they even refused to pay that part of the tithes *about the legality of which there was no dispute at all*. He finally declares in the same letter, that the whole reliance of the Irish clergy was upon the assistance of England; "for *here*," says he, "in Ireland, *no stand can be made*." In another letter (May 10, 1737), he says: "Our only hope is in the protection of his majesty, by throwing out in the Privy Council in England any bill which *the Irish landlords may bring forward for stripping the clergy of the greater part of their legal dues*." Elsewhere (August 9, 1737) he says: "The common people understand that the *gentry* are ready to *distress the clergy by all manner of ways*;" and he shows clearly enough what would be the effect of the abolition of the tithe of *agistment*, by stating that "there were *whole parishes where it was the ONLY PROVISION for the minister*;" and in the same letter he says that it was designed by the aristocracy "to take away from the bishops, if not *part of their LANDS, at least ALL their fines*;" and that they had "*circulated a paper to that effect*." (Aug. 16, 1737.) In his letter to Walpole (Aug. 9, 1737), Boulter says that he had in vain represented to the landlords that by destroying the tithe of *agistment* they *discouraged tillage*, thereby driving most of the young peasantry to the necessity of entering the army in quest of a livelihood; whilst the increase in the price of provisions caused so much distress amongst the population, as rendered the South and West (Munster and Connaught) incapable of carrying on the linen manufacture. He adds, that in consequence of the conduct of these *soi-disant* friends of the Protestant religion, *a great part of the churches were neglected and going to ruin, and that it became necessary to give as many as six or seven parishes to one incumbent, in order to enable him to live*. Boulter's anticipations about the other consequences of the iniquity, were but too fearfully verified within so short a period as four years after; for in

1741 the Duke of Devonshire, in his speech from the throne, stated as a notorious fact that the awful typhus which desolated so large a portion of the kingdom in that and the preceding year, was principally owing to the scarcity of good provisions, which was the consequence of the discouragement of tillage.*

With regard to the earliest disturbances of the Whiteboys in Munster, Dr. Curry states (*Review*, vol. ii. p. 272), that "it was well known that the *Protestant gentlemen and magistrates* of that province did all along, for their own private ends, *connive at, if not foment, these tumults*," which had been originally produced by the exactions of those landlords themselves. In 1777, Dr. Campbell published his *Philosophical Survey*, in which he states, p. 305, that "the *landlords and graziers, in order to direct from themselves the attention of the Whiteboys*, cherished the disposition of the insurgents to *curtail the Church*" of what he calls "her pittance." The same statement was made in the Irish House of Commons by Mr. Lowther (*Irish Debates*, vol. vii. p. 61); and in another debate in the same year, Sir James Cotter, while defending the magistrates of the county of Cork, admits that some of them "have been base enough to connive at the excesses of the Rightboys, in the hopes of raising their rents by adding THE SHARE OF THE CLERGY to what they the landlords already extorted from the miserable population." (*Ibid.* p. 24.) In the celebrated speech of Lord Clare, delivered in the Irish House of Commons on the 31st January, 1787, he says: "I am well acquainted with the province of Munster; I know that it is impossible for human wretchedness to exceed that of the miserable peasantry of that province. I know that the unhappy tenantry are ground to powder by relentless landlords, who grasp at the whole produce of the soil; and not satisfied with present extortion, have been so base as to instigate the insurgents to ROB THE CLERGY of their tithes, not in order to alleviate the distresses of their tenantry, but that they may add THE SHARE OF THE CLERGY to the cruel rack rents already paid." But Dr. Woodward, the lord bishop of Cloyne, in which diocese the county of Cork was situated, places the conduct of the landlords in a still more extraordinary point of view. Speaking of the disturbances described above by Lord Clare, the bishop says: "*The present proceedings are not a paroxysm of frenzy, origin-*

* See Dr. Harty's "Historic Sketch of Contagious Fever in Ireland," introduction, p. 4.

ating with rash and ignorant peasants, BUT A DARK AND DEEP SCHEME, PLANNED BY MEN SKILLED IN LAW AND IN THE ARTIFICES BY WHICH IT MAY BE EVADED. These enemies to the public peace and to the Protestant clergy, though nominal Protestants, suggested to the farmers TO ENTER INTO A COMBINATION UNDER THE SANCTION OF AN OATH, *not to carry their tithes, or assist any clergyman in drawing them*; AND A FORM OF A SUMMONS TO DRAW, PENNED WITH LEGAL ACCURACY, *was printed at Cork at the expense of a GENTLEMAN OF RANK AND FORTUNE*, and many thousand copies of it circulated with diligence through the adjoining counties of Kerry, Limerick, and Tipperary." (*Present State of the Church of Ireland*, p. 79.) Similar statements are made in another pamphlet on the same side of the question, published in 1787, entitled, *Advice to the Protestant Clergy of Ireland, by a Layman*.

Such being the conduct of the Protestant landholders "out of doors," it may be added that in the House of Commons they passed a resolution, declaring "that the tithe of agistment was burthensome to the landlords;" and upon this resolution they had the effrontery to engraft another, to the effect, that "the commencing of any suit upon such a demand must *impair the Protestant interest*, and occasion the *increase of Popery* and infidelity!" There being, according to Boulter, "*whole parishes* where this tithe of agistment was the *only* provision for the *Protestant minister*!" The resolution concluded with declaring that any person who should commence any such suit was an enemy to his country. (4 Com. Jour. 219.) These flagitious proceedings of the Protestant landlords had, however, the effect of terrifying the Protestant clergy into the abandonment of their legal rights; and although the government of Ireland may be said to have been at that time in the hands of archbishop Boulter himself, he was compelled, notwithstanding his well-known and extraordinary zeal for the rights and revenues of the clergy, to submit to an act of wholesale and impudent robbery, which threw the support of the Protestant clergy from the most opulent of the Protestant landlords upon the most indigent of the Catholic cottiers, and from the richest soil in the country upon land of an inferior quality; which, according to Boulter himself, amounted to only *one fortieth of the whole*. In the year 1800, the Irish Protestant landlords, who since the Reformation had never paid the tithe of agistment, abolished that property altogether by an act of the legislature; so that the wealthiest portion of the Protestant landlords of Ireland,

and the loudest brawlers for the Establishment in that country, have at all times invariably refused to pay a farthing on account of the most productive tithe, and for the richest portion of their land. Upon the introduction of the Irish Tithe Composition Act the tithe of agistment was revived by that statute; and more recently the legislature has attempted to render the landlords of that country subject to the payment of tithe in general. Their conduct, however, has been all through equally fraudulent and oppressive upon the clergy and the people, robbing the Church with one hand and the population with the other. Within eight years of the Union the grand jury of Armagh, the most Protestant county in Ireland, and the residence of the lord primate, resolved, "that the exorbitant exactions of the clergy, and the oppressions which they committed in the enforcement of their tithes, were such as tended to detach the minds of his majesty's subjects from their allegiance!" (*Plowd. Hist.* vol. ii. p. 103.) Of their conduct and sentiments at later periods it is scarcely necessary to adduce any examples. The right reverend author, who exclaimed, in 1815, against the "tyrannical power which in 1735 repelled the clergyman from the rich and extensive domains which ought to have contributed to his income," has only described a species of conduct which we firmly believe will be very soon repeated by the same class of "professing Protestants;" who will make no hesitation about starving the clergy amidst professions of the most unbounded affection for the Establishment.

We believe that at this very instant it would be found that the most violent lay politicians in Ireland, of what is called the High-Church party, are the very persons who pay the clergy worst and least. A very short time ago, a receiver was appointed by the Court of Exchequer in Dublin over the estates of a celebrated conservative peer in Tipperary, at the suit of his rector: and we ourselves were informed by a very eminent clergyman of the Establishment, that upon going to take possession of his living, he found the flock divisible, in respect to the very important subject of tithe paying, into three classes; in the last of which were the great landowners and most vehement professors of attachment to the Church, who were the most unsatisfactory payers and the most considerable defaulters in the parish. Everybody who is acquainted with the facts of the case, knows that we could produce whole volumes of evidence of the same kind upon the same subject. Our purpose, however, at present, is not

to give any sketch, however general, of the history of the tithe system in Ireland; but merely show the blank ignorance exhibited by Sir Oracle who sits upon the tripod of the Turtle;* and who would have the world believe, upon his high authority, that resistance to the payment of tithes had originated out of a popish conspiracy between Dr. Doyle "and his coadjutors." The other assertions of the professor, that up to the time of Dr. Doyle and "his coadjutors," the popish population had "cheerfully paid the tithes," and that absolute compulsion was necessary to oblige them to forego so very exquisite a luxury, exhibits a degree of impudence which absolutely borders upon the sublime.

It is, indeed, perfectly obvious that this professor was perpetually haunted with the consciousness of his own libellous delinquencies; and that, being as calumnious as Cambrensis, if he were equally candid in his confessions, he would have said, in the words of that unblushing slanderer, "*Certus sum me non nulla scripturum quæ lectori vel impossibilia vel etiam ridiculosa videbuntur, nec ego volo temere credi cuncta quæ posui; quia nec a me ipso ita creduntur tanquam nulla de eis sit in mea cogitatione dubitatio.*" (Cambrensis, in Sir R. C. Hoar's Tour, pref. viii.) Marks of this kind of conscientious uneasiness are indeed continually breaking out in the course of the article. We shall give at present only a single sample of this operation of conscious guilt. In page 148, the *Reviewer* says, "And our inquirer will not need to be informed that evidence, such evidence as is required in a court of justice, *it is not possible to procure.*" Whatever information the "inquirer" of the *Quarterly* may require, we think that the "inquirer" of the *Dublin Review* will easily believe that "such evidence as is required in a court of justice" can be had in very great abundance upon the subject, and that some plentiful portions of such evidence have been presented to *his* notice already. What does the *Quarterly Reviewer* think of such witnesses as Mr. Justice Day, Mr. Baron Foster, Mr. Justice Moore, of Mr. Blackburne, of Mr. Smith O'Brien, of Col. Kennedy, of Major Warburton, of Mr. Kemmis, of Mr. Barrington, of the Rev. Mortimer O'Sullivan, of his coadjutor, the Rev. Dr. Phelan, of Mr. Sadler, and Mr. Croker, and Lord Stanley, of the *Times* newspaper, and of the *Quarterly Review* itself? We should have thought that these authorities were presentable, even in a court of justice. The Reviewer, perhaps, thinks

* The local situation of Exeter College, at Oxford.

otherwise, and having gravely stated that no judicial evidence is to be had, proceeds in the following strain: "The reader will ask why? We ask, *why* in the evidence before committees *are names so studiously suppressed?* Mr. Singleton, a government stipendiary magistrate, shall give one answer. He is asked what would happen to a man, if, after *giving evidence respecting the conduct of a priest*, he were to return to Ireland? '*His life would not be safe for twenty-four hours after he returned.*' What if his evidence were in obedience to an order of the committee and the speaker's warrant? 'He would be assassinated.'"

This passage occurs in page 148 of the *Quarterly Review* for December 1840; and, as the reader may well suppose, no reference whatever is made to the time or place when Mr. Singleton's evidence was given, or to the party or body by or before whom he was examined: for this reason, it is impossible for us to ascertain whether Mr. Singleton did ever, in fact, give any such evidence at all. The reader will, however, be able from the following testimony to decide for himself; first, upon the probability of Major Singleton's having ever said what the *Quarterly Review* imputes to him; and secondly, upon the value of Mr. Singleton's statement, if he ever made it, in fact. The following passage is taken from page 84 of the abstract of the evidence given before the Roden Committee in 1839.

"Lord Donoughmore says, that in a memorial to the lord-lieutenant, agreed to at a meeting of the magistrates of Tipperary, in April 1838, it was stated that the result of the preceding assizes for that county, had *proved* how *terrible* was the state of *intimidation* which *existed* among the *juries* of that county. In answer to the memorial it was stated by Mr. Drummond, on the part of the lord-lieutenant, that his excellency had deemed it his duty to direct letters to be addressed to the several *stipendiary* magistrates of the county, *calling upon them to state whether any and what instances of injury to persons or property of juries had come under their observation which could be distinctly attributed to verdicts given by such jurors.* In the answers received from all these gentlemen they uniformly declare, that '*not a single instance of the kind has ever occurred to their knowledge.*'"—12,022-3-4-5-6.

Amongst the persons applied to was this very Major Singleton, whose answer was *that* "NO INSTANCE of the sort had AT ANY TIME come under his observation." (Abstract, p. 85.) Every body can see how much more the peasantry must be excited by the conduct of a juror who, in their presence, de-

livers a verdict which consigns one of themselves to Norfolk Island or the gallows, than by the fact of a person's delivering some "*Evidence respecting the conduct of a priest*" before a committee in London, about which evidence, whatever it may be, the peasantry of Ireland, generally speaking, can know nothing at all. If therefore the peasantry were disposed to *assassinate* anybody who has given evidence against a priest, they could have no adequate means in *rerum naturâ* of giving a sufficient vent to their fury against a convicting juror. Yet Mr. Singleton states that "*NO INSTANCE of ANY OUTRAGE upon such an account had EVER come to his knowledge.*" From this circumstance we think it very probable that Major Singleton could not have made the statement attributed to him by the *Quarterly Review*. If he ever actually *did* make such a statement, we hope that either he or the writer in the *Quarterly* will explain to us how it is to be reconciled with his testimony in 1839. We hope that they will also take the trouble to show how it is reconcilable with the following evidence, given at the same time, and upon the same subject, by the other official persons to whom the circular of the government was addressed.

Major Carter says, "there are *no records of such events* in this district; and occurrences of that nature *could not have passed my observation, or that of the sub-inspector, formerly chief constable for twenty-seven years*, with whom I have conversed on this subject.

Mr. Wilcocks.—"I am not aware of *any instances of injury to the person or property of any juror distinctly attributable to any verdict* which he may have given.

Mr. Vokes.—"I do not remember *an instance in any county* where a *juror* was injured on account of any *verdict* he may have given.

Mr. Singleton.—"No instance of the sort at any time came under my observation.

Mr. Tabiteau.—"*No instance of the kind has come under my observation, nor has any COMPLAINT been made or information given to me of any juror having in any way suffered for any act done by him in the execution of his duty as a juror.*"

Captain Duff.—"*None such* have come under my observation; and I may safely add that *none could have occurred in this district without coming to my knowledge or that of the chief constable, whom I have questioned on the subject.*"

Captain Nangle.—"In *no instance* that has *ever* come under my observation has *any juror* suffered injury attributable to *any verdict* he may have given.

"His excellency also directed a similar communication to be made

to Mr. Kemmis, the crown solicitor of the circuit, and has received from that officer the answer, that '*No case of the kind has come within the knowledge of the crown solicitor.*'

"In reply to a similar communication to Mr. Barrington, crown solicitor of the Munster circuit, three out of the four counties of which adjoin Tipperary, he states,—'*No instance has occurred on the Munster circuit while I have been crown solicitor (now nearly twenty-five years), of injury suffered by any person in consequence of having found a verdict of conviction in any case.*'

"His excellency also felt it his duty to refer the statement of the memorialists to *the judge* who presided at the last assizes, and his excellency has received a reply from that learned person, of which the following is an extract:—

"'*It did not appear to me there existed any grounds, either of fact or inference, for apprehending that the juries were intimidated; on the contrary I consider they discharged their duties free from any bias arising from personal apprehensions or any other cause; and with regard to their verdicts, they uniformly received and acted upon the legal character of the crime as laid down by the court, at the same time exercising their own judgments, as is their exclusive province, upon the credit to which they consider the witnesses to be entitled.*'"

The following evidence was given upon the same subject before the same committee:

Mr. Hatton says, that "He does not know that he ever saw ANYTHING of the effect of the Riband system upon jurors."—2894.

Mr. Hatton had been in the Irish constabulary for sixteen years and a half, when he gave this testimony. He passed, we believe, through every grade of the force up to that which he then occupied. He was one of the most active persons connected with it; and was, we think, personally concerned in each of the cases of Ribandism which were brought to trial: and his promotion, as well as that of his son, were in a great degree owing to his incessant exertions to detect and prosecute the Ribandmen.

Major Warburton says, that "He knows *no instance of Ribandmen intimidating either jurors or witnesses* (1060); and knows NO OBJECT of ANY kind which they have been the means of effecting.'"—121.

Major Warburton is son to the late Bishop of Cloyne, and a conservative; he was upon the establishment of the Irish constabulary for twenty-two years, from 1816 to 1838—he was provincial inspector for about thirteen years—then deputy inspector-general, and finally inspector-general of the whole force.

Having given some instances of the Professor's veracity and candour in respect to matters of fact, let us attempt to diversify the exhibition a little with a sample of his candour and veracity in matters of science.

As a specimen of "dreadful teaching," he states (p. 176) that Dr. Dens announces as an established maxim, that every oath implies necessarily *salvo jure superioris*. And again, in the note to page 126, he has the following words: "Now as every oath, according to Dr. Dens, implies necessarily the reservation *salvo jure superioris*." In this passage the writer evidently wishes to make it appear that the reservation of the *jura superioris* was a doctrine peculiar to Dr. Dens, or to popery, and one which had something in itself not only unusual but immoral. Whether the Professor of moral philosophy has written the passage in that ignorance which characterizes every part of his "Essay on Romanism in Ireland," or in that spirit of calumnious insinuation which equally distinguishes the same composition, we know not. What we do know is, that the doctrine is not peculiar to Peter Dens, or to any one else, and that it is to be found, we believe, in every treatise upon ethics that ever was written, and that was expanded sufficiently to include all the details of the subject. In order to prove this assertion, we shall, for obvious reasons, make no citation from any Catholic author, but simply request the Professor to take the trouble of turning to a book which, though sufficiently well known to the public, appears not to be at all known to the author of "Romanism in Ireland." The work to which we allude is the production of a very eminent Protestant bishop, and is called, "SEVEN PRELECTIONS DELIVERED IN THE THEOLOGICAL SCHOOL OF THE UNIVERSITY OF OXFORD," by the celebrated Bishop Saunderson, who was then Regius Professor of Divinity in that university. In this work it is laid down in the tenth section of the second Prelection: first, that in every oath *all ordinary exceptions and conditions must be reserved and understood*; and secondly, that in every oath the RIGHT OF THE SUPERIOR *must always be understood as RESERVED*—"semper subintelligendum *salva potestate superioris*"—and therefore that every oath must be considered as taken (to use the pleonastic and elegant apposition of the *Quarterly Review*), "with the reservation *salvo jure superioris*." Indeed Bishop Saunderson, who, according to Paley, "was the most eminent person of his time in this kind of knowledge," evidently carries the matter higher than Dens does, by reserving, not merely the *right* of the

superior, but his *power* to prevent the execution of any promise made without such a reservation. In illustration of this principle, he puts the case of a young man who, without reservation, swore to do something *which was lawful in itself*; but whose father being ignorant of the matter, commands him to do something else, the doing of which will prevent him from doing that which he had sworn to do. In this case the bishop decides that the son is *not bound by the oath*, and that he is bound by the command of his father; and this decision he makes without laying down anything as to *the nature of the act* which the father has commanded, or the *consideration* upon which the oath was taken to the third person, or the consequences of breaking the oath and obeying the command. The reason which he assigns for this rule is, that the act of one man ought not to prejudice the right of another, and he treats the principle all through as a matter about which there was no doubt. It is perhaps not unworthy of remark upon such an occasion, that the Protestant bishop having in his text laid down the doctrine which we have mentioned, cites in the margin the following passage upon the same subject from the *Decretals*, ii. 24, lib. 9: "*In the taking of an oath the RIGHT OF THE SUPERIOR is always understood as being RESERVED. In juramento jus superioris semper intelligitur exceptum.*" Whether the passage from the *Decretals* is adduced as the foundation of the doctrine of the text, or adopted as a collateral authority upon the subject, we have no means of knowing. However this matter may be, it is perfectly certain, as well as perfectly obvious, that the effect of the whole passage as it stands, is to assert and to show the entire identity of doctrine between Protestant and Catholic divines upon the point in question,—to show that they are both agreed in this principle, that every oath must be understood to be accompanied by a reservation of the rights of the superior; which reservation, if it be not actually expressed, must be invariably understood. The same doctrine is found in Puffendorff, *des Dev. de l'Homme et du Citoyen*, par Barbeyrac, liv. i. ch. xi. sec. 6, note 3, where he shows at some length the grounds and extent of the power which the superior possesses to dispense with the observance of an oath, which had been taken to the prejudice of his own rights.

The following passage upon the subject is taken from *Grotius de Jur. Bel., et P.* lib. ii. cap. 13, sec. 20: "The act of a superior cannot indeed prevent the performance of an oath, in as far as the oath was truly obligatory, for the observance

of such an oath is a duty enjoined by natural as well as divine law. But inasmuch as our own actions are not fully (plene) in our own power, but only in such a manner as to depend upon the will of our superiors, there are therefore two acts which a superior can perform in reference to that which is sworn (by the inferior). One of these acts is directed against the person who has taken the oath, and another against the person to whom it has been taken. In respect to the person who hath taken the oath, the effect of the act (of the superior) is either before the oath has been taken to render it void altogether, in as far as the right of the inferior was contained under the power of the superior. If the oath has been taken in such circumstances, the superior can prevent it from being fulfilled (ne impleatur.) For the inferior, as far as he is inferior, had no power to bind himself any further than should be in accordance with the pleasure of the superior (superiori placitum esset), for greater power than this, he, the inferior, did not possess." He then goes on to give some instances and authorities upon the subject, and passes to the consideration of what the superior may do in respect of the person to whom the oath has been taken. The power of the superior in this respect he states to consist in taking away from him the right which he had seemed to acquire from the oath; or, if the right had not already arisen, by prohibiting that any should accrue from the obligation. But the doctrine is in truth quite universal, and is only a more particular form of that which is to be found in Saunderson ubi sup. sect. ix.—namely: that an oath which professes to bind the party swearing to an obligation, which may be inconsistent with any other obligation of a superior character, is void in its essence and 'ab initio.' This is a proposition so elementary in the science, that it has not been omitted even by Paley (Chapter on Promises, sec. iii. par. 2) although his treatise, as may be expected from its title, "*The Principles of Moral and Political Philosophy*," is of a very general nature, and consequently presents not those numerous divisions and multitudinous details which are to be found in the disquisitions of the schoolmen upon these and similar subjects.

Our readers will probably recollect that the existence of this "reservation of the rights of the superior" in some book at Maynooth, was one of the principal grounds of the attack made by Mr. Colquhoun upon that establishment in the late session of Parliament. Another of the principal grounds relied upon in the same debate, was that in some treatise

which formed part of the course at Maynooth, it was made a matter of discussion, whether a person who had taken part of the property of another was guilty of a mortal or only of a venial sin, unless the value of the subject-matter was considerable—Some declaring that the appropriation of one grain of another man's wheat was a mortal offence, whilst others adopted, in respect to this ancient corn law, a sort of ethical sliding-scale, upon which the value required for constituting the higher species of criminality ranged from one farthing to sixpence or thereabouts. Whether the taking was in the hypothesis to be qualified by any superabounding wealth in one party, or necessity in the other, we do not recollect, nor is it in the smallest degree material that we should; as we do not mean to enter into any discussion about the merits of the theory itself. Mr. Colquhoun, for the purpose of giving a practical character to his motion, informed the House, that the principles to which he objected were enforced by the priests upon the people; and that if the case were otherwise, he should not have ever brought forward the subject. We believe that we know as well as most persons the characteristics of the moral teaching practised by the Catholic clergy of Ireland; and we certainly never heard of such a doctrine until we heard Mr. Colquhoun. If the Catholic clergy of Ireland *have* been in the habit of assiduously inculcating this kind of morality, their success has been astonishingly small, for we are informed by Mr. Rowan, in his evidence before the Roden committee (*Q.* 1855), "that considering how very poor the people were, and how many temptations there were to rob, it was most extraordinary *how unfrequently* offences of that kind were committed." Of Mr. Rowan we shall only say at present, that he was the principal witness upon whom Lord Roden relied for making out a case for the impeachment of Lord Normanby and the utter extermination of the Catholic priests. To return to Maynooth and the speech of Mr. Colquhoun; what we propose to do upon this, as upon the former subject, is to present the reader with a specimen of the teaching of Protestant professors upon subjects of the same nature. The following is the definition or rather description given of the nature of property in general in a work which at this moment forms part of the academical course in the University of Cambridge. "If you should see a flock of pigeons in a field of corn; and if, (instead of each picking where, and what it liked, taking just as much as it wanted and no more), you

should see ninety-nine of them gathering all they got into a heap; *reserving nothing for themselves but the chaff and refuse*; keeping this heap for one, *and that the WEAKEST perhaps, AND WORST PIGEON OF THE FLOCK*; sitting round, and looking on all the winter, whilst this one was *decouring, throwing about, and wasting it*; and if a pigeon more hardy or hungry than the rest touched a grain of the hoard, all the others instantly flying upon him and tearing him to pieces;—if you should see this, you would see nothing more, *than what is every day practised and established amongst men*. Among men you see the ninety-and-nine toiling and scraping together a *heap of superfluities* for one, *getting nothing for themselves* all the while, but a *little* of the *coarsest* of the provisions which their *own labour produces*, whilst the one for whom they toil and accumulate is oftentimes the *worst or feeblest of the whole set*,—a *child, a woman, a madman, or a fool*; whilst they calmly see the *whole* fruits of all their labour *spent or spoiled*; and if one of them take or even touch a particle of it, the others join against him and hang him for the theft.” This extract contains the whole of the first chapter of the first part of the third book of “Paley’s Principles of Moral and Political Philosophy.” The following passages are found in the same work upon the same subject.

“Another right which may be called a *general right*, as it is incidental to *every man* who is in a situation to claim it, is the right of extreme necessity; by which is meant *a right to use the property of another*, when it is necessary for our own preservation to do so; as *a right to take, WITH OR AGAINST THE OWNER’S LEAVE, the first food, clothes, or shelter we meet with, when we are in danger of perishing through want of them*;—of which right the foundation is this: that when property was first instituted, the institution was not intended to operate to the destruction of any; therefore *when such consequences would follow, all regard to property is superseded*.”—Book II. ch. xi.

“The introduction of property was consented to by mankind, upon the expectation and *condition* that there should be left to every one a sufficiency for his subsistence, or the means of procuring it. And therefore, when the *partition of property is rigidly maintained against the claims of indigence and distress, it is maintained in opposition to the intention of those who made it, and of HIM** who is the Supreme Proprietor of every thing; and *who has filled the earth with plenteousness, for the sustentation and comfort of all whom he sends into it*.”—Book v. ch. iii.

* “He that oppresseth the poor reproacheth his Maker.”—Proverbs, c. xiv. v. 31.

It is quite clear that the application of these principles to the condition of the population of Ireland, would produce a little inconvenience to those enlightened and humane proprietors, who were astounded in 1838 by hearing for the first time the extraordinary information that *property had its duties as well as its rights*. It is equally matter of certainty, that if the Catholic clergy of that country had intended to give any disturbance to the possessions of these amiable persons, they might have more effectually accomplished their object by publishing a "penny Paley," and circulating the opinions of the university of Cambridge among the peasantry of Ireland, than by entering into a disquisition as to whether a man who stole a submultiple of a grain of wheat was guilty of a mortal or only of a venial sin. But we must return to our friend in the *Quarterly Review*;—of the sound, clear, and practical wisdom of whose philosophy we shall take leave to give one sample more, in addition to those which we have already adduced.

There are "three distinct measures," quoth our wise man, "to be adopted, one or the other, as the first step to the cure of the ills of Ireland," page 126. Proceeding to the development of the subject, he

" Talks about it, * * and about it," *

until page 129, where we are told that the attainment of the first of the indispensable preliminaries is positively desperate, (second paragraph in the page). He proceeds, in the next place, to acquaint us, in the third paragraph of the same page, that the second of the "distinct measures" is even more desperate than the first; whilst, in page 132, first line, he informs us that the third is the most desperate of all, being not only impossible in fact, but impossible in comprehension. Three things must therefore be done before we take the first step. Three steps must first be taken before the first, and these three degrees of indispensable anteprecipital progression are impossible. This looks like a very desperate state of affairs. But an obstruction made up of three impossibilities does not appear sufficient to deter the bold reviewer from the attempt to cure the "ills of Ireland." In the fourth page of his article, he says, that "so far from despair, perhaps the deepest observer of human nature, and of the state of the world" (i. e. the author of "Romanism in Ireland") "may withdraw his eye in fear from almost every

other portion of the globe, and fix it on Ireland, as the spot where, covered over with rubbish and ashes, and almost smothered by an oppressive influence, there is still a light burning, such as scarcely exists in any other civilized nation, and without which no nation can be great or good. In Ireland, as yet at least, THE SPIRIT OF FAITH is not extinct." Our readers will not forget that this hopeful population are the same community which the same writer has, in another part of the same article, compared—1st, to a convicted culprit struggling against an officer of justice, who had a warrant to arrest him; and 2dly, to a naked, starving, and infuriated maniac.—p. 124.

Here we must part company with the Professor, of whom, to say the truth, we are very heartily sick. We had anticipated that he would make some attempt at excusing or palliating his enormous conduct. He has, however, died without making any sign, and we venture to hope that the gentle chastisement which we have felt it our duty to inflict upon him for the monstrous falsehoods which he has uttered against our most calumniated country, and our most holy religion, will operate as a salutary warning to any other person who may be disposed to follow the footsteps of the Professor in a career of so disgraceful a nature.

ART. VII.—1. *Poems by Richard Monckton Milnes.* 2 Vols. London: 1839.

2. *Poetry for the People, and other Poems, by Richard Monckton Milnes.* London: 1840.

THE very extensive and favourable reputation attained by Mr. Milnes' first publication will have led many to entertain hopes of his second, which, we fear, are not likely altogether to be fulfilled. The author of the "Lay of the Humble," and the very many smaller poems, remarkable alike for exquisite workmanship, and beauty of thought and feeling, which thickly strew his two earlier volumes, should not have lightly hazarded his fame by another, of which the best that can be said is, that in it are some gleams of the high poetic qualities which, strongly and throughout, marked its predecessors. The present volume, *Poetry for the People, and other Poems*, bears many marks of haste. Golden flashes of thought there doubtless are here also, and true and touching delineations of feeling: but the high tone of Mr. Milnes'

first publication is not equally sustained, while the public surely ought to be content only with an improvement. We fear that there is much in this new volume which has been written only for the unworthy purpose of making up a volume of suitable size. The contents of the first two volumes were elaborated in quiet; but Mr. Milnes has since become an actor in the world of politics, and exchanged the brooks and dewy fields, which we must suppose that he formerly haunted, for the hum and glare of men's busy life. If the distractions of politics and society have thus made havoc with the poet's craft, it is one consolation, that the fountain of his poetry remains pure; for there is more than enough in the present volume to show that the world has not worked beyond the surface, and that Mr. Milnes retains the forms of young imagination,—a quick apprehension of the beautiful and the good, simple, and fresh feelings,—

“A young lamb's heart amid the full-grown flock.”

Mr. Milnes is one of what may be considered a class of poets which has arisen within the last few years,—the members of which, with many individual characteristics, have certain chief features in common, and acknowledge for the most part the same influences. The consciousness that belongs to a later age of poetry is strongly developed in all of them. They are all casuists and inward philosophers, vexing themselves with the mysteries of the world and of humanity. They have cultivated with great care the harmony of their natures, and, as befits later poets, are masters of metre. The external influences which have chiefly worked on them are the poetry of Wordsworth and Shelley, and the philosophic and critical writings of Mr. Coleridge. In the poems of all of them also is discernible the influence of another and younger poet, Mr. Tennyson, who, though he has not yet won his way to fame's high eminence, has given to the world, in the two small volumes which he has published, unmistakeable and brilliant tokens of genius, and has already produced a visible effect on contemporary poetical literature. In this class we would place,—besides Mr. Milnes,—Mr. Alford, a diligent student of nature; Mr. Trench, who has brought to the service of the Muses a deep and most devout soul; and Mr. Sterling, who has finely mingled thought, feeling, and imagination, in strains of exquisite melody.

Mr. Milnes need not fear a comparison with any of the writers whom we have named. With a less rich and refined

poetic temperament than that of Mr. Sterling, who, without seeming effort, pours forth profusely loveliest sounds and images, he has succeeded by cultivation in making himself his superior as an artist. The melody of Mr. Milnes' verse is generally perfect; his language chaste, correct, and nervous. Thought, feeling, and fancy abound in his poems: and there are not a few, especially in the earlier volumes, which prove him capable of the highest efforts of "shaping imagination." On the whole, however, there is a scarcity of imagery in these poems. We must not forget to mention, that the beauty of Mr. Milnes' verses is sometimes marred by affectation; and that he is too prone to the grand and the mysterious,—a fault which we regret the more in one who often shows himself no stranger to the strength and loveliness of simplicity.

Though some time has now elapsed since the publication of Mr. Milnes' two earlier volumes, and many extracts have appeared in periodicals, we shall yet venture to select also from them, as being better fitted than the last to convey a just notion of Mr. Milnes' great and varied power. The verses which we shall extract will be new to many of our readers. We do not quote any portions of the "Lay of the Humble," perhaps the happiest of Mr. Milnes' efforts, because injustice will be done to it by quoting a mere portion, and the whole is too long for quotation, and because this poem has become very extensively known. We may say the same of "The Brothers," a poem illustrating the fraternal affection, not in the same way as Mr. Wordsworth's well known and beautiful verses of the same name, but hardly inferior to this in pathos, and pervaded by a high tone of imaginative language, which reminds us of some of the finest passages of "The Excursion." But we cannot enumerate all the passages on which we should be glad to fix attention, and which our limits will not allow us to quote.

A short poem, entitled "Mutability," a tale of every day, most simply and touchingly told, is a gem worthy of Coleridge. The first part is a picture.

"I saw two children intertwine
Their arms about each other,
Like the lithe tendrils of a vine
Around its nearest brother:
And ever and anon,
As gaily they ran on,

Each lookt into the other's face,
 Anticipating an embrace,—
 I markt those two when they were men,
 I watcht them meet one day,
 They toucht each other's hands, and then
 Each went on his own way ;
 There did not seem a tie
 Of love, the lightest chain,
 To make them turn a lingering eye
 Or press the hand again.

“ This is a page in our life's book
 We all of us turn over ;
 The web is rent,
 The hour-glass spent,
 And oh ! the path we once forsook
 How seldom we recover !

“ Our days are broken into parts,
 And every fragment has a tale
 Of the abandonment of hearts,
 May make our freshest hopes turn pale ;
 Even in the plighting of our troth,
 Even in the passion of our oath,
 A cold hard voice may seem to mutter
 ‘ We know not what it is we utter.’ ”

A rich vein of thought runs through the following lines,
 which are also well fitted to exemplify Mr. Milnes' metrical
 skill.

“ ON MY BOYISH LETTERS.

“ Look at the leaves I gather up in trembling,—
 Little to see and sere and time bewasted,
 But they are other than the tree can bear now,
 For they are mine !

“ Deep as the tumult in an arched sea-cave,
 Out of the past these antiquated voices
 Fall on my heart's ear ; I must listen to them
 For they are mine !

“ Whose is this hand that wheresoe'er it wanders,
 Traces in light words thoughts that come as lightly?
 Who was the king of all this soul-dominion ?
 I ? was it mine ?

“ With what a healthful appetite of spirit,
 Sits he at life's inevitable banquet,
 Tasting delight in every thing before him !
 Could this be mine ?

- " See! how he twists his coronals of fancy,
 Out of all blossoms, knowing not the poison,—
 How his young eye is mesht in the enchantment!
 And it was mine!
- " What, is this I? this miserable complex,
 Losing and gaining, only knit together
 By the ever-bursting fibres of remembrance,—
 What, is this mine?
- " Surely we are by feeling as by knowing,
 Changing our hearts, our being changes with them;
 Take them away,—these spectres of my boyhood,
 They are not mine!"

From many sonnets we select a well-conceived and eloquent tribute to Mr. Tennyson.

" TO A CERTAIN POET.

- " At Beauty's altar fervent acolyte,
 And favored candidate for priestly name,
 In object as in force adore aright,
 Nor waste one breath of thy rare gift of flame;
 Nature, artistic form, Music,—all these
 Are shapes where partial beauty deigns to lie,
 And mediate, as with types and images,
 Between frail hearts and perfect Deity.
 From thee a purer faith is due,—to find
 The beauty of life,—the melody of mind,—
 Which the true poet's guest never eludes:
 Speed thou Philosophy's straight onward flight,
 Aiming thy wings at that serenest height,
 Where Wordsworth stands, feeding the multitude."

Here are two very sweet specimens of " Memorials of a Residence on the Continent."

" ON THE JUNGFRAU BY MOONLIGHT.

- " The maiden moon is resting,
 The maiden mount above,
 They gaze upon each other
 With cold majestic love.
- " So I and thou, sweet sister,
 Upon each other gaze,
 Our love was warm, but sorrow
 Has shorn it of its rays.

“ As in the hazy heav’n
That gentle orb appears,
Thou lookest in my face
Tearful, not shedding tears.

“ Like thine, her face is pale,
But from within a light,
Mild, gleaming, as thy spirit,
Comes out upon the night,

“ And casts a tender sheen
On that pale hill beneath,
Pale! as my heart, which wears
The dull, white hue of Death.”

“ ON A RUINED CASTLE NEAR THE RHINE.

“ This was a fortress, firm and stout,
When there was battling round about.—
It has been deckt in gala plight,
In days of ladie-love and knight,—
It has known carouse and Provençal song,
And the dance right featly tript along,
While the red guhl-log and wassail bowl
Cheered the pilgrim’s thirsty soul.
The swoop of time has been to it
A bounty and a benefit,—
It has gained glory from those wings,
Which have annihilated kings ;
And now it stands in its massiveness,
Wi’ the scars of many an age,
Like a lore-encumbered prophetess,
Who has worn away her youthfulness,
In studies deep and sage.”

We conclude our extracts from Mr. Milnes’ earlier volumes, with a poem which shows him to be a master of pathos. The following lines are on the death of a friend.

“ I’m not where I was yesterday,
Tho’ my home be still the same,
For I have lost the veriest friend
Whom ever a friend could name ;
I’m not what I was yesterday,
Tho’ change there be little to see,
For a part of myself has lapsed away
From time to Eternity.

“ I have lost a thought that many a year
Was most familiar food,

- To my inmost mind, by night or day,
In merry or plaintive mood :
I have lost a hope, that many a year
Lookt far on a gleaming ray,
When the walls of life were closing round,
And the sky was sombre grey.
- " For long, too long, in distant climes
My lot was cast, and then,
A frail and casual intercourse
Was all I had with men;
But loneliness in distant climes
I was well content to roam,
And felt no void, for my heart was full
O' the friend it had left at home.
- " And now I was close to my native shores,
And I felt him at my side,
His spirit was in that homeward wind,
His voice in that homeward tide ;
For what were to me my native shores,
But that they held the scene,
Where my youth's most genial flowers had blown,
And affection's root had been ?
- " I thought, how should I see him first,
How should our hands first meet,
Within his room,—upon the stair,—
At the corner of the street ?
I thought, where should I hear him first,
How catch his greeting tone,—
And thus I went up to his door,
And they told me he was gone !
- " Oh ! what is life but a sum of love,
And death but to lose it all ?
Weeds be for those that are left behind,
And not for those that fall !
And now how mighty a sum of love
Is lost for ever to me
... No, I'm not what I was yesterday,
Though change there be little to see."

The " Poetry for the People," which gives its name to Mr. Milnes' new volume, occupies but a small portion of it. It is a series of what may be called sermons in verse, which, though the doctrines are not always unexceptionable, come creditably from a conservative legislator. We quote one, entitled " Almsgiving," which strikes us as the best of the

series. Its sentiments are just and gentle : and Mr. Milnes has expended more care on the language than is generally the case in this volume.

“ When poverty, with mien of shame,
The sense of pity seeks to touch,—
Or, bolder, makes the simple claim
That I have nothing, you have much,—
Believe not either man or book
That bids you close the opening hand,
And with reproving speech and look
Your first and free intent withstand.

“ It may be that the tale you hear
Of pressing wants and losses borne,
Is heapt or coloured for your ear,
And tatters for the purpose worn ;
But surely poverty has not
A sadder need than this, to wear
A mask still meaner than her lot,
Compassion's scanty food to share.

“ It may be that you err to give
What will but tempt to further spoil
Those who in low content would live
On theft of others' time and toil ;
Yet sickness may have broke or bent
The active frame or vigorous will,—
Or hard occasion may prevent
Their exercise of humble skill.

“ It may be that the suppliant's life
Has lain on many an evil way
Of foul delight and brutal strife,
And lawless deeds that shun the day ;
But how can any guage of yours
The depth of that temptation try ?
What man resists—what man endures—
Is open to one only eye.

“ Why not believe the homely letter
That all you give will God restore ?
The poor man *may* deserve it better,
And surely, surely, wants it more :
Let but the rich man do his part,
And whatsoe'er the issue be
To those who ask, his answering heart
Will gain and grow in sympathy.

“ Suppose that each from nature got
Bare quittance of his labour's worth,

That yearly teeming flocks were not,
Nor manifold producing earth :
No wilding growths of fruit and flower,
Cultured to beautiful and good ;
No creatures for the arm of power
To take and tame from waste and wood !—

“ That all men to their mortal rest
Past shadow-like, and left behind
No free result, no dear bequest,
Won by their work of hand or mind !
That ev'ry separate life begun,
A present to the past unbound,
A lonely, independent One,
Sprung from the cold mechanic ground !

“ What would the record of the past,
The vision of the future be ?
Nature unchanged from first to last,
And base the best humanity :
For in these gifts lies all the space
Between our England's noblest men,
And the most vile Australian race
Outprowling from their bushy den.

“ Then freely, as from age to age
Descending generations bear
The accumulated heritage
Of friendly and parental care,—
Freely as nature tends her wealth
Of air and fire, of sea and land,
Of childhood's happiness and health,
So freely open you your hand !

“ Between you and your best intent
Necessity her brazen bar
Will often interpose, as sent
Your pure benevolence to mar :
Still every gentle word has sway
To teach the pauper's desperate mood,
That misery shall not take away
Franchise of human brotherhood.

“ And if this lesson come too late,
Wo to the rich, and poor, and all !
The maddened outcast of the gate
Plunders and murders in the hall ;
Justice can crush and hold in awe,
While Hope in social order reigns,—
But if the myriads break the law,
They break it as a slave his chains !”

The following, extracted from a series which bears the name of "Love Thoughts," is altogether worthy of our older love-poets.

"Dream no more that grief and pain
Could such hearts as ours enchain,
Safe from loss and safe from gain,
Free, as love makes free.

"When false friends pass coldly by,
Sigh, in earnest pity sigh,
Turning thine unclouded eye
Up from them to me.

"Hear not danger's trampling feet,
Feel not sorrow's wintry sleet;
Trust that life is just and meet,
With mine arm round thee.

"Lip on lip, and eye to eye,
Love to love, we live, we die;
No more thou and no more I,
We and only we!"

The execution of the following poem is hardly equal to its design. But there is eloquent wisdom in the concluding part of it; and the wisdom, fortunately for Mr. Milnes, does not depend on the historical truths. There are many poems in one of his earlier volumes, which show that he cannot be trusted on Venetian ground.

"NAPLES AND VENICE.

"Overlooking, overhearing, Naples and her subject bay,
Stands Camaldoli, the convent, shaded from the inclement ray.

"Thou who to that lofty terrace lov'st on summer-eve to go,
Tell me, poet, what thou seest,—what thou hearest, there below!

"Beauty, beauty, perfect beauty! sea and city, hills and air,
Rather blest imaginations than realities of fair.

"Forms of grace alike contenting, casual glance and stedfast gaze,
Tender lights of pearl and opal mingling with the diamond blaze.

"Sea is but as deepen'd æther; white as snow-wreaths sun-beshone;
Lean the palaces and temples, green and purple heights upon.

"Streets and paths mine eye is tracing, all replete with clamorous
throng,

Where I see and where I see not, waves of uproar roll along.

- “ As the sense of bees unnumbered, burning through the walk of
limes,—
As the thought of armies gathering round a chief in ancient
times,—
- “ So from corso, port, and gardens, rises life's tumultuous strain,
Not secure from wildest utterance rests the perfect crystal main.
- “ Still the all-enclosing beauty keeps my spirit free from harm,—
Distance blends the veriest discords into some melodious charm.
- “ Overlooking, overhearing, Venice and her sister isles
Stands the giant Campanile, massive 'mid a thousand piles.
- “ Thou who to this open summit lovs't at ev'ry hour to go,
Tell me, poet, what thou seest, what thou hearest, there below.
- “ Wonder, wonder, perfect wonder ! ocean is the city's moat ;
On the bosom of broad ocean seems the mighty weight to float.
- “ Seems, yet stands, as strong and stable as on land e'er city shall ;
Only moves that ocean-serpent, tide-impelled, the Great Canal.
- “ Rich arcades and statued pillars, gleaming banners, burnisht
domes,—
Ships approaching,—ships departing,—countless ships in har-
bour-homes.
- “ Yet so silent ! scarce a murmur winged to reach this airy seat ;
Hardly from the close Piazza rises sound of voice or feet ;
- “ Plash of oar or single laughter,—cry or song of gondolier,—
Signals far between to tell me that the work of life is here.
- “ Like a glorious maiden dreaming music in the drowsy heat,
Lies the city, unbetokening when its myriad pulses beat.
- “ And I think myself in cloud-land, almost try my power of will,
Whether I can change the picture, or it must be Venice still.
- “ When the question wakes within me, which hath won the crown
of deed,
Venice with her moveless silence, Naples with her noisy speed.
- “ Which hath writ the goodlier tablet for the past to hoard and
show,—
Venice in her student stillness, Naples in her living glow ?
- “ Here are chronicles with virtues studded as the night with stars,
Records there of passions raging through a wilderness of wars.
- “ There a tumult of ambitions, power afloat on blood and tears,—
Here one simple reign of wisdom, stretching thirteen hundred
years.
- “ Self-subsisting, self-devoted, there the moment's hero ruled,—
Here the state, each one subduing, pride enchained and passion
schooled :

"Here was art the nation's mistress,—art of colour, art of stone,—
There before the leman pleasure bowed the people's heart alone.

"Venice! vocal is thy silence, can our soul but rightly hear:
Naples! dumb as death thy voices, listen we, however near."

The two following verses are prefixed to the volume: and compelled to look for a meaning in them, we conclude that Mr. Milnes here dimly refers to his achievements as a statesman.

"Amid the factions of the field of life,
The poet held his little neutral ground;
And they who mixt the deepest in the strife,
Their evening way to his seclusion found.

"Thus meeting oft the antagonists of the day,
Who near in mute suspicion seemed to stand,
He said what neither would be first to say,
And, having spoken, left them hand in hand."

Were this true, Mr. Milnes would be a greater than Orpheus. Yet there are passages of recent politics, hitherto unexplainable, which faith in the poet-politician's influence might render clear. Mr. Bradshaw, suddenly mollified,—Colonel Sibthorp and Mr. Hume fighting together for economy,—the Duke of Wellington shaking hands with ministers on the China question,—and Sir Robert Peel uniting with them on Canada,—can these be so many triumphs of Mr. Milnes and the Muses? We very much fear that we must be content with admiring the verses, and setting down the sentiments as only another instance of Mr. Milnes' imagination. This is not the stuff of which his political comrades are made. The two greatest of them, Colonel Sibthorp and Mr. Bradshaw, would very justly and naturally not deem of the poet as of the orator; while Sir James Graham's soul, attuned to "treasons, stratagems, and spoils," cannot "know the concord of sweet sounds;" and even the Duke and Sir Robert, though they would be probably more discreet in disclosing their opinions of one who adorns their party, would yet, we suspect, be very much in agreement with Cassius,—“What have the wars to do with these jiggling fools?”

We part with Mr. Milnes, hoping to have many future opportunities of noticing his poetry, and to be able to acknowledge at the same time that steady improvement of his muse, the result of continued meditation and study, which

we regret not to have perceived in the volume before us. We should be happy to see him rising above the short poems to which he has hitherto restricted himself, and buckling himself for a long labour. Taste, feeling, thought, and imagination, such as his, conjoined with the care which a more ambitious task would necessarily inspire, are ample sureties of success.

ART. VIII.—1. *Tracts for the Times*, No. 90.

2. *The Subject of Tract 90 examined.* By the Rev. F. Oakley, M.A.

3. *The Thirty-nine Articles considered as the Standard and Test of the Doctrines of the Church of England.* By G. Faussett, D.D.

4. *A Review of No. 90 of the Tracts for the Times.* By the Rev. R. Prettyman, M.A.

5. *A Few Words in support of No. 90.—A few more Words, &c. (Appendix.)* By the Rev. W. G. Ward, M.A.

6. *Observations suggested by A Few More Words.* By Rob. Lowe, Esq.

7. *The Articles treated on in Tract 90 considered.* By the Rev. E. B. Pusey, D.D.

8. *Salutary Cautions against the Errors contained in the Oxford Tracts.* A Charge to his Clergy, delivered at St. Nicholas' Church, Newcastle-upon-Tyne, on Monday, Aug. 9, 1841. By the Right. Rev. the Lord Bishop of Durham.

THE pamphlets here enumerated are but a small portion of those which have appeared within the last few months on the subjects discussed in the eventful Tract No. 90. The Rev. Mr. Prettyman informs us, that between sending his work to press and its publication, twenty-six pamphlets on the subject had been put into his hands. To this extent of acquisition our situation has not allowed us to reach; but we are content with the fact, as evidence of the great interest excited by that Tract; while we take it for granted that the few publications which have reached us contain the pith of the discussion, and present fair specimens of the reasonings and statements of the different sides. We are not going to step between the two, nor to attempt the melancholy decision whether the consciences of many will be best relieved by sub-

scribing the Articles with the dark conviction that they are protesting against a Church, which they have been taught to believe is, and has been for ages, unscriptural, anti-Christian, idolatrous, and apostatical, and condemning in one fell swoop its practices and its doctrines,—or by signing them in the thought that, though they may *seem* to be doing all this, and are considered by the great mass of members (perhaps by the rulers of their Church?) to do it, yet they in their heart intend it not, because it is possible to interpret these un-Catholic Articles in a Catholic way, by explanations hardly thought of before, perhaps hardly contemplated by some of those who proclaim them, when *they* subscribed. We repeat, that we believe this to be a melancholy alternative proposed to future subscribers; and we lament that any should be placed in it, the more because we see a clear and straightforward way out of the dilemma, and, to our minds, the only one which will save many a youthful heart a pang of remorse;—to refuse subscription. This is a bold proposal; but we must not shrink from it. Let us, however, approach it cautiously.

The purport of Tract No. 90 we suppose our readers in general to be acquainted with. It is to prove, that the Thirty-nine Articles would be, or are, no bar to intercommunion, between the Church of England and at least the Western Church. Every clergyman of the former is obliged to subscribe the Articles,—every one of the latter is pledged to the decisions of the Council of Trent. Ordinarily, these two standards of belief are considered incompatible one with the other; and it has not been understood that the subscriber of the Articles could hold the doctrines of the Synod. Mr. Newman endeavours to prove that the Articles had not in view the doctrines of Trent, in what they declared;—first, because they were drawn up anterior to the Council; secondly, because their very tenour and wording prove them directed against certain abuses prevalent in the Church, which the Council itself in part condemned, and in no part approved. This, we believe, is a fair statement of his view; and we are far from regretting that he has taken it. On the contrary, we rejoice at it, for many reasons.

First, because it is an additional proof of the growing feeling, otherwise perhaps more clearly expressed, that the isolation of the Anglican Church is by no means a consoling, still less a boastful circumstance.

Secondly, because it indicates an earnest desire to smoothen, if not to remove, the obstacles to restored intercommunion.

Thirdly, because it takes blame for the present state of things, instead of only casting it, as has been the usual practice in treating on these subjects.

Fourthly, because it indicates a practical regard towards union with the proper quarter,—the West, or Rome,—rather than vaguer, perhaps chimerical projects, of gaining strength by an alliance with Russians, Greeks, or Syrian Nestorians.

Fifthly, because earnestness in all these respects is manifested in express proportion to the pains taken, and the ingenuity employed, to bring the articles into possible harmony with the definitions of Trent.

For these reasons and more, we are glad to see a man like Mr. Newman anxious to disclaim condemnation of our doctrines, and to accustom men to judge them compatible with what they themselves consider (however erroneously) as entitled to reverence. Against the many things which both he, and some of his followers in the controversy, say of us, and of our practices, we own that we are weary of complaining. We are speaking now of the tone and not of the substance;—the latter is fair subject of debate, and may be touched upon later (so far at least as shall not trench upon individual pending controversies), but the other we begin to feel that we had best submit to without murmuring. We will say “strike, but listen:” there is, thank God, merit in humiliation under injustice (even when unintentional), and we will endeavour to acquire it: there is, on the other hand, danger of irritation, and of being tempted to retort, or answer harshly, if one dwells too earnestly upon such things. Moreover, we have so often protested and gained nothing, so gravely denied and not been allowed credit, so gently entreated and not prevailed, that we must make up our minds to endurance; and if we cannot render our humanity—being but flesh—callous to the stings or lashes directed against us, we will endeavour to protect it by “the shield of that charity,” which “beareth all things, and endureth all things,” while it “thinketh no evil.”*

That Mr. Newman’s view of subscription would be variously appreciated, he of course must have foreseen. To many in the Church it has been acceptable as a boon, relieving their minds of a painful burden.

* 1 Cor. xiii. 5, 7.

Mr. Ward, whom we quote with satisfaction, both as one who has suffered in consequence of his opinions, and as one whose tone and manner are more congenial to our feelings than many others,—thus opens his first pamphlet.

“Acquiescing as I do in the general principles advocated in Tract 90, and deeply grateful to its author for bringing forward in it a view of our formularies, full of comfort to myself and many others with whom I am acquainted, I am induced to say a few words with regard to Mr. Wilson’s recently published Letter; not as being unmindful of the great evils to which direct theological controversy, unless great care be used on both sides, is apt to lead, but still considering that in the present case a view of part of our Articles, new in great measure at least to the present generation, will hardly meet with general acceptance till after full and fair discussion, and that those who feel difficulties in that view have a fair claim on those who advocate it, that their objections shall at least be considered.”

The novelty of the interpretation proposed by Mr. Newman is here acknowledged, as far as regards at least the present generation of subscribers; and the writer of these lines must have subscribed before that interpretation had appeared. Supposing him, therefore, to be placed in circumstances where resubscription would be required, we may justly conclude that the principles on which he would give it, would be different from those on which he first subscribed. We put not this case personally: we mean to speak of any one to whom Mr. Newman’s new view is a source of comfort. If we may be allowed to draw a still further conclusion, we may say that subscription under the other alternative would now be considered by such a person the reverse of comfortable.

On the other hand, it is contended that the proposed construction of the articles does them violence, is incompatible with straight-forward honesty, and contradicts all received modes of interpreting such documents. They ought, therefore, to be taken in their more popular sense; as condemning, that is, not merely some abuses, real or pretended, in the Church of Rome, but the very doctrines which she teaches.

Now, if we have to speak upon this subject, we own that we are somewhat embarrassed by one consideration. If we express ourselves opposed to the first of these views, it may appear as though we wished to cast those who hold it back upon the latter. Nothing, surely, can be further from our minds; for subscription to the articles in their popular sense,

as involving condemnation of our doctrines, we detest and abhor, as condemnation of the true doctrines of God's Church: whereas in subscription under the interpretation, "new to the present generation," we must regret and blame what appears like connivance at such condemnation. Eleazar would not eat lawful meats when dressed up, so that the people might consider them as forbidden;* and we would not have reverend, and learned, and devoutly-minded men, subscribe *uncatholic* articles, before their people, so as to appear to the world to pledge themselves to uncatholic doctrines, because, in spite of this outward form, there is a secret overlaid meaning, which will allow the subscriber to understand them in a different sense, not necessarily condemnatory of Catholic doctrines.

Mr. Ward enters perhaps more fully than any other writer upon the question which here naturally meets the enquirer; where is the proper key for opening the true sense of the articles? where their authoritative explanation? When one person makes oath, or subscribes conditions, or formularies prescribed by another, the ordinary and obvious principle is, that they are taken or subscribed, "*juxta animum imponentis*," according to the meaning or mind of the party requiring the subscription or oath. In ordinary circumstances of this character, the main point is to discover what is the "*animus*" or meaning of the "*imponens*:" who *this* is usually appears at once. But, in the present case, it is by no means so. The difficulty lies in discovering who it is that enjoins subscription, with a right to be considered the "*imponens*." Mr. Ward proposes the following hypotheses, maintained by various parties.

1. Are the original framers, Cranmer and others?
2. Is the convocation of 1571?
3. Or that of 1662?
4. Is the State?
5. Is the existing Church represented by its actual bishops?

To all these claims Mr. Ward answers negatively.

1. It is not the first Reformers, because "as well might a committee of the House of Commons, who are employed to draw up a bill, be imagined to be the '*imponens*' instead of the whole legislative body."—*A Few more Words*, p. 8.

* 2 Machab. vi. 25.

2. The convocation of 1571 has no more authority than any other: *e.g.* that of 1662.

3. Nor has this any; because what ceased to exist one hundred and fifty years ago, cannot be considered the present "imponens."

4. As to the State, Mr. Ward rather implies than expresses a denial, leaving this theory (once, to all appearance, held by Froude) to those who consider the Anglican Church Protestant.

5. Regarding the existing Church, he intimates perplexities and difficulties, whether it be understood that a person signing under this theory, pledge himself positively to whatever the actual bishops may happen to hold (Dr. Hey's shocking system), or that he merely bind himself to teach no interpretation of the articles, which the existing Church deems inadmissible.—p. 11.

We cannot help thinking, that after this exclusion of the framers, the past Church, the present Church, and the State, from the office of "imponens" of the Articles, when they are actually proposed to a candidate for orders, or any other state requiring subscription, most readers will feel perplexed as to what is assumed to hold that office: and we are tempted to indulge them in the opportunity of conjecturing, feeling pretty sure that they will not easily succeed. In fact, we believe that many will rather descend to particulars from the excluded generals, and suppose that the chancellor of the university into which subscription gives admission, or the bishop who confers orders, or who inducts into a benefice, may perhaps be considered the "imponens." But while any one, so inclined, indulges in these speculations, we may be allowed, not boastfully but thankfully, to contrast our position under similar circumstances. When a Catholic receives a professorship, or takes a degree, or is consecrated a bishop, and indeed on many other occasions, he recites the Profession of Faith of Pope Pius IV. In this, after the Creed, he asserts his belief of the doctrines defined at Trent, the doctrines supposed to be *not* rejected by the Thirty-Nine Articles. Now, in order to subscribe this formulary "with comfort," we do not suppose that any Catholic, whether in France, Italy, England, or Germany, ever thought of inquiring or discussing who was the "imponens," whether the Fathers of the council, or the Pope whose name it bears, or the commission who drew it up, or the present Church, general or national, or the bishop who receives it, or any one else. And why?

Because he knows that all and every of these different parties, past or present, distant or on the spot, thought and intended one and the same thing: their "*animus*" was the same; and he would be merely speculating, without benefit, upon a theoretical question, in no way affecting his practical conclusions. Whence comes this? Because, by a principle of unanimity and union, which knits together all times and places, and which he considers exclusively the characteristic of true *Catholicity*, all these parties *must* believe and *think* alike.

Now, though the visible results in the present Anglican Church be precisely the reverse of all this, as the brief outline which we have given of the theory of the "*imponens*" must show, Mr. Ward comes to the conclusion that this very spirit of *Catholicity* is the "*imponens*" of the Articles! The theory sounds to us so startling, so new, so,—shall we speak it?—so awful, that we must give it in his own words, and with his own italics:—

"6. Before doing this, let me beg the reader's careful attention to the following passage from Mr. Newman's Sermons, in which he expresses doctrine held by every Catholic: 'Christ by coming in the flesh provided an external or apparent unity, such as had been under the Law. He formed His Apostles into a visible society. But, when He came again in the person of His Spirit, He made them all *in a real sense one*, not in name only. For they were no longer arranged merely in the form of unity, as the limbs of the dead may be, but they were *parts and organs of one unseen power*; they really depended upon, and were off-shoots of that which was One. . . . Christ came not to make us one, but to die for us: the Spirit came to make us one in Him who had died and was alive, *that is*, to form the Church. This then is the special glory of the Christian Church, that its members do not depend merely on what is visible, they are not mere stones of a building piled one on another and bound together from without, but they are one, and all the births and manifestations of one and the same unseen spiritual principle or power, '*living stones*,' *internally connected as branches from a tree*, not as the parts of a heap. . . . Before (the Spirit came) God's servants were as the dry bones of the Prophet's vision, connected by profession, not by inward principle; but since, they are all the organs as *if of one invisible governing Soul*, the hands or the tongues or the feet or the eyes of *one and the same directing Mind*. . . . Such is the Christian Church; a *living* body and *one*, not a mere framework artificially arranged to *look* like one.'*

* Vol. iv. Sermon. xi.

"Now, in proportion as we realize the full force of this great doctrine, we shall necessarily be compelled to consider every external development of any living branch of Christ's Church, as the language of that Holy Spirit who resides within her. If the expression be not irreverent, the 'imponens' of every statement which she is guided to put forth, *Whose* are really the words which she utters, *Who* quickens the forms which she ordains, is none other than *the Holy Ghost dwelling in the Catholic Church*. Let it be observed, I am not deciding what amount of error a local Church might superadd to the faith without losing her life; much less what amount of *apparent* error she may present to the eye of a superficial observer, the memorial of past sin in her governors, and a heavy bondage restraining her activity and free development. I am saying only so much as this, that if we believe the Church to be the dwelling-place of the Holy Ghost, and to have been founded for the very purpose of bearing witness to 'the Faith, once (for all) delivered to the Saints,' (and if we cease to believe this, we cease to be Catholics), we cannot but interpret every general and ambiguous expression in her formularies in accordance, so far as the wording will allow, with the body of doctrine, which, from the first, the Spirit as by His overruling power He had caused it to be contained as to essentials within the words of Holy Scripture, as also has openly declared through the instrumentality of His organ the Church Catholic. Nor am I at all sure that this is not the fairest statement of the practical way in which the author of the Letter alluded to, would look at the subject. It is far indeed, of course, from making of little importance the existing Bishops; on the contrary, the formal decision of the successors to the Apostles have, next to the Church's fixed formularies, the strongest claims on us, as the voice of the Holy Ghost. From the lowest to the highest, from the 'godly admonition' of the individual Bishop to the private Clergyman, up to the authoritative statements of the whole Episcopal Synod, each in its sphere and measure comes with God's delegated authority. Only, if this be the true way of regarding it, as, on the one hand, we interpret all and each of these decisions in the *most Catholic sense which their wording will admit*, so, on the other, we are exempt from the necessity, or duty, of looking for the opinions of individual Bishops in any other quarter than in those formal decisions of theirs which may come with authority *to us*. They do *not* speak as organs of the Spirit residing in the Church, unless when they speak formally *as Bishops*."—pp. 11-16.

Before proceeding to examine the more general theory involved in this long but interesting extract, let us say a few words on the concluding passage. "The godly admonition of the individual bishop, . . . in its sphere and measure, comes with God's delegated authority"—it is "the voice of

the Holy Ghost": but for this purpose the bishops must "speak formally as bishops" so to become "the organs of the Spirit residing in the Church." Are we wrong in supposing that a bishop making a charge to his clergy "speaks formally as a bishop"? If not, we would ask, when or how does he so speak, or when does he address the "us" of the text, meaning, we suppose, the clergy subject to him? If he does, then let us turn to the Bishop of Durham's Charge. "And now," it says, ". . . I must call your attention to the obligation which rests upon me, *your bishop*, on this our day of solemn meeting, *and to the manner in which you also are bound to act towards me*, who, however unworthily, am called upon thus personally, *and from this chair of office*, to address you."—p. 3. The bishop, then, is about to speak episcopally, *ex cathedra*, as his own words imply. In page 6, his lordship thus speaks,—"Strongly, then, must I repeat my regret, that with nothing like an appearance of stringent necessity, or the prospect of adequate advantage, *the writers of those tracts* should have come forward to disturb the peace of the Church." His condemnation of the doctrines of the tracts we will not quote; because, on every point which Dr. Maltby thinks proper to condemn, our sympathies are with the tract-writers; we believe them to be right, and the "godly admonition" of the bishop to be so wrong, that we should shudder at the very idea of considering it as "the voice of the Spirit" of God, or in any "sphere" or in any "measure" as having "delegated authority from God." Moreover, when his lordship speaks of a private judgment, if aided by cultivation, "leading the mind to a clearer perception of the truth than all the volumes of all the Fathers, and still more than any dependence that can be placed on the fallacies or sophistries of tradition,"—nay, when he condescends to the use of such expressions as "the stinking puddles of tradition, devised by men's imagination," (p. 8), we consider his teaching as positively heretical in its tendency; and regret so much the more that an amiable and good man like Mr. Ward should have allowed himself to be carried by his enthusiasm, to the formation of a theory, which may compel him either to give such teaching a certain divine authority, or to qualify his theory by new distinctions which may exclude it.

However, here it is: a bishop formally speaking as such from his chair of office, thus addresses his clergy. "A laboured attempt has been made to *explain away the real meaning of our articles*, and infuse into them a more kindly spirit

of accommodation to the opinions and practices of the Church of Rome. Under these circumstances, however painful may be the task of animadverting upon opinions espoused by persons otherwise so respectable, I consider it incumbent upon me to *pronounce my deliberate judgment.*" (p. 7.)*

We turn now to the main principle laid down by Mr. Ward in the extract we gave above. Perhaps we shall be thought to have employed strong words when we prefaced it: but our painful impressions were thus formed. We had been accustomed to hear the Articles called by Mr. Newman and others a chain and a heavy yoke, a prison (though with Christ, we know not how, for the keeper), as an imperfection, as the stammering lips of ambiguous formularies, as inconsistent precedents, as a penalty for sins, as placing the Church in the body of death, &c. Now we own that it appears to us a serious, nay an awful, thing to consider and declare "*the Holy Ghost dwelling in the Catholic Church,*" to be the "imponens" of things so characterised and described. We know that the writer was far from meaning any irreverence; in fact he expresses his caution on the subject; but to us it sounds painfully. The whole passage to which we more especially allude, the deductions, that is, from Mr. Newman's reasonings, has a boldness that jars with our usual feelings, in giving to the very acknowledged imperfections of the Anglican Church, a divine sanction which Catholics would with diffidence attribute to anything short of what faith or old traditional practice recommend, for the passage does not speak of a mere permissive dispensation of what is afflicting, but a positive exacting of what is so humanly imperfect. We think it certainly a distressing position for a young man, to have to believe all the severe things that he has read lately of the Articles, and yet to subscribe them, with the feelings that they are "the language of that Holy Spirit who resides in the Church," that He is the imponens of that "statement which she has been guided to put forth."

But let us further enquire, how far the Anglican Church

* Mr. Ward has contemplated the course which an individual clergyman might be compelled to pursue, should his bishop condemn the doctrine of the Tracts. "It is, I suppose, considered by some that his lordship (the Bishop of Oxford) decided *ex cathedra*, that such a mode of interpreting the 39 Articles was inadmissible: the result of which course would be, that those who held preferment in the diocese of Oxford in virtue of subscription to them in such sense, would, to say the least, be in a most painful position, unless they threw up such preferment."—Appendix, p. 13.

can be considered as acting as part of the Church Catholic in the subscription which she requires of the Articles.

The Catholic Church, according to the High Church theory, is a collection of various Churches, such as those in communion with Rome, the Greek, the Anglican, &c. For a declaration, to be considered an emanation from this aggregate body, one would naturally expect to find in it conditions which, in some way, connected it with them or their avowed opinions, and gave it their implied sanction, if nothing more. The lowest terms whereon one might be disposed to receive it in this high character, would be a tacit approbation of it by the other Churches, such as their acknowledging and accepting as brethren, those who had adopted it. Perhaps there might be a lower form of reluctant acceptance, to the extent of not excluding those from communion who subscribed to its doctrines. But in the case of the Thirty-nine Articles, not a single Church beyond the Anglican has admitted the holders of them to communion, or acknowledged that holding them was compatible with what it believes. In other words, the different Churches have kept up a continual protest against the Articles, according to what they have ever heard of their meaning. How, then, can it be just to consider as the "imponens" of those Articles, that Catholic Church which, according to the same theory, consists of the union of those very Churches?

It will indeed be said, that, till now, the various Churches which have withheld communion from the Anglican, on the strength of the doctrines *supposed* to be taught by its Articles, have been mistaken as to the matter of fact; that those Articles contained declarations of doctrine, and pledged all subscribers to hold and maintain them; that consequently there has been an error of judgment, and that the Anglican Church must not be prejudiced thereby, but must be allowed to enumerate her formulary among those which the Church Catholic may admit as containing nothing contrary to her belief. Let us allow this error if we please; let us rejoice with all our hearts that the words of the Articles *may* be interpreted as Mr. Newman proposes (for we are not disputing the possibility of so interpreting them), still it is admitted that they have an uncatholic sound and appearance, that their *primâ facie* signification is Protestant, they are a "Protestant Confession." (Tract, p. 83.) And when, in the beginning of their adoption, other Churches, upon these grounds, refused to hold communion with their subscribers, no inter-

pretation was ever offered which could lead them to form a different estimate of their substance; so that if an error was committed, it was connived at, or even sanctioned, by the party whose duty it was to correct it. The Anglican Church, by taking no steps to correct the interpretation generally given to her Articles, seemed to acquiesce in it, and acknowledge it right. The explanations now given will be received with pleasure; but they come not with authority. They show the desire of those who offer them to come into harmony of thought with the Catholic Church; but surely they will not authorize any one to consider this as demanding the subscriptions of Articles, which are "the offspring of an uncatholic age," or of being their "imponens."

Our impression, therefore, is, that an "imponens" of the Articles must be found in some one or some thing more tangible, and more sensibly in contact with the subscriber, than the Catholic Church, or the spirit that rules her. If subscription be a condition,—perhaps we may say an equivalent for anything else,—surely the party complying with the conditions on the other side, or representing the interests yielded or the advantages conferred, may have some right to be considered in that light. Let us put a case. No one can be admitted into the University of Oxford without subscribing the Thirty-nine Articles. The practical consequence of this condition has manifestly been the exclusion of us Catholics from the advantages of that place of education. Several Catholics have obtained admission to Cambridge, none to Oxford; simply because subscription is not required in the former, and is required in the latter. Does not this University, therefore, confer certain benefits and advantages, such as education, &c., under a condition of signing a certain formulary? and has it not a right to be considered as its "imponens" on *that* specific occasion? And if so, has not its interpretation been defined, by that very result of its tendering that formulary, the exclusion of every Catholic who admits the Council of Trent, and its doctrinal definitions? For, will any one be prepared to say, that if a youth, educated in the Catholic faith, were to state openly and candidly to the head of a college at Oxford his belief in Transubstantiation, in the devout use of images, in the invocations of saints, and purgatory, as defined by that council, and then ask to be allowed to subscribe, and enter the University, under that interpretation of the Articles which considers them compatible with that belief, he would be admitted? If so, then we

have been long unjustly deprived of what we might have enjoyed. If not, it must be concluded that the University claims the right of being at once the "imponens" and the interpreter of the Articles.

We feel ourselves, however unwillingly, compelled to think that, consoling as the new views of the Articles may be to our feelings, they cannot justify subscription, so long as the subscribers are *supposed* to bind themselves to an interpretation of them incompatible with what is held by Catholics. The time may indeed come, when Mr. Newman's explanations will become generally received in his Church, and be authorised by its rulers, or at least accepted by them; and then the case will be altered. A further and a better step will not be distant when that time comes. Men will easily get rid of a thing which *all* agree in considering a burthen. But for the distressing position of many, in the mean time, we cannot help feeling, because we sincerely do not believe the proposed remedy effectual.

We are aware of the almost necessary consequences of any one's shrinking, with High-Church principles, from subscription under actual circumstances. He would be led to seek comfort in the bosom of the Church Catholic. To this step objections have been raised of a varied character, which we feel ourselves called upon to notice. Throughout the controversy on Tract 90, the Catholic Church has been severely spoken of, as corrupt, nay as idolatrous, for a two-fold purpose. First, the charge was made, in order to justify the Articles in their supposed condemnation of certain practises attributed to us. Then the same objection was repeated for the purpose of justifying separation from us. The groundwork of both views is the same, the point of vision alone varies: the second is to us more interesting. It has been urged in a special manner, in an article in the last *British Critic*,—an article which, in many other respects, has pleased us, and in none more than this, that it candidly acknowledges a grievous disorder in the state of the Anglican Church, to which it wishes to place the charge against us as a set-off. The author of this remarkable article on "Private Judgment," allows that the isolation of the Anglican Church gives her a strong and painful appearance of schism. But if this tend to drive persons from her communion, they are met, he thinks, by such an appearance of idolatry, that they are once more driven back, and kept where they were. "If," he observes, "the note of schism on the one hand lies against

England, an antagonist disgrace lies upon Rome, the note of idolatry. Let us not be mistaken here: we are neither accusing Rome of idolatry, nor ourselves of schism; we think neither charge tenable; but still the Roman Church practises what is so like idolatry, and the English Church makes much of what is so very like schism, that without deciding what is the duty of a Roman Catholic towards the Church of England in her present state, we do seriously think that members of the English Church have a providential direction given them, how to comport themselves towards the Church of Rome, while she is what she is."—p. 123.

The reviewer collects his proofs from various sources,—from Mr. Palmer, Mr. Ward, and Dr. Pusey. It is to the latter that we will turn for them. It is not our intention to take up here the more literary part of the controversy, such as is now pending between the first of those just mentioned and Dr. Wiseman; but rather we would call our reader's attention to the more popular and striking illustrations or proofs selected by Dr. Pusey, of the idolatrous, or superstitious, or corrupt practices of the Roman Church. We believe that acts generally convince more than words; and, moreover, they are more easily remembered. Hence a reader of Dr. Pusey's pamphlet will far more easily retain, and more happily employ, in conversation, some of the wonderful stories which he has gathered together, and seriously set down as proof of no less a charge than idolatry, against the Apostolic Church, than he will a passage from St. Alphonsus Liguori. In pages 161 to 164, we have many such examples: the principal of which we will briefly notice.

We are there told of pictures which, carried in procession, stopped the plague and averted the cholera. That God *may* have made use of a pious representation for such a purpose, seems no more impossible than that by a brazen serpent looked upon, He should have stopped the plague of fiery serpents: whether He has done so in individual cases, must depend upon historical evidence. Only let us not overlook the fervour of supplication, the uplifted hands and hearts, of thousands who make up the procession in those cases,—the strong cry and tears which issue from the crowds of suppliants (we speak experienced) that go before and behind,—nay, the prayers of the Church and its ministers who attend it; and if, when these have been all set in action, whether by a representation of Christ or his Blessed Mother, or by the words of a living saint, violence is done to heaven, and the

prayers of God's people are heard, let us not quarrel with names, and be astonished if men pay reverence to that which called forth the fervour of their prayers, by forming a rallying point to their united supplications; nay, if they thus symbolise and express their feeling, that Her prayers, whose image they accompanied, rather than their own, obtained for them what they asked. For, we suppose, no one ever imagined, that when wonderful effects of this sort are attributed to any pictures of saints, carried in procession, they are to be considered apart from the feelings which they excite, and the prayers that accompany them. The same is to be said of the image of our Saviour as an infant, with which a priest blesses the people, under the pious belief, whether grounded or not we have no means of pronouncing, that it has pleased God to use it as an instrument of miracles, as he has done, on so many occasions, with other material objects. For our present purpose, it is sufficient, that this persuasion should be sincere, even if mistaken; and that it is such we have every reason to judge.

The liquefaction of St. Januarius's blood comes next in Dr. Pusey's catalogue; and to it we only append our full conviction that there is no juggling, no deceit in that interesting occurrence. This is the lowest estimate which any well-informed Catholic would make of it: our own inquiries into it, by every means in our power, (and they have been tolerably extensive), have long since satisfied us, in common with many others, that it is a true miraculous manifestation of God's power. Dr. Pusey fearlessly calls it "an imposture."

We now come to proof of tolerated superstition, which we could hardly trust our eyes in reading in a work by so cautious and so learned a man as Dr. Pusey. It is related in the following words: "In another Church (at Naples) is a waxen figure of our Lord as an infant, to which the king and the court make an annual procession at Christmas, the king carrying scissors to cut the hair of the image, which, it is asserted, grows miraculously every year." By way of voucher for this precious statement, we have in a note,— "Statement of a traveller!" "Ab uno disce omnes." The Church of Rome, and the Catholic Church in communion with it, are to be pronounced idolatrous upon the anonymous statement of a traveller. Upon reading this account, we lost no time in making inquiries respecting—not its truth (for of that we never dreamt)—but its origin. We thought it possible that some ceremony or practice in itself innocent, might

have been distorted, by Protestant ingenuity, into a superstitious observance, or rather a wicked imposture. For we had long been accustomed to very curious and often amusing mistakes of this character in the "statements of travellers." And though we have a shrewd guess who the traveller is on whom Dr. Pusey so much relies, and believe him to be a person incapable of wilful mis-statements, we must be allowed to attribute to him the usual faults of such well-intentioned travellers, as are on the look-out for whatever can justify a condemnation of Rome. In this case, we have enquired from persons for many years resident at Naples, and moving in the circle of the court, whether they have ever heard of this its annual practice, or of the miraculous "Bambino"; and have been met only by expressions of surprise and astonishment at the tale. As one of the persons to whom we applied has expressly authorized us to make use of his statement, we will offer no apology for presenting our readers with the greater part of his letter. As he sufficiently describes himself to enable them to judge of his opportunities for accurate information, we will venture to consider him a better authority than the mere anonymous "traveller;" and we are sure that the honest warmth and indignation which he manifests, will be attributed to its proper motive, regret, that one for whom we know that he entertains a personal regard, should have lent himself to the propagation of a calumnious charge against so large a body of fellow-christians.

The following is his letter:—

"August 9, 1841.

"I have been surprised and painfully impressed by Dr. Pusey's assertion, given on 'the statement of a traveller,' with reference to the miraculous growth of hair, &c.; and I can only add that I have passed several festivals of the Nativity at Naples, and never heard of such a ceremony, as that described by Dr. Pusey; for *his* description it is, until he chooses to publish the name of his 'traveller.'

"I have lived a good deal at Naples, both as a Protestant and as a Catholic. As a Protestant, I was in the habit of meeting so many of our countrymen of that creed ready to attend any 'funzione' (particularly if it offered the double attraction to them of contemplating royalty, and witnessing so satisfactory a proof as this would have been of *Popish superstition*) that I cannot suppose for a moment I should not have heard of such a ceremony, if it had existed.

"Belonging to the British legation, I was constantly applied to by travellers to assist them in visiting ceremonies and sights of all kinds; and I can only call to mind the liquefaction of the blood of

St. Januarius, as a regular miraculous ceremony attended by the king, and that only once, though the liquefaction occurs twice, in the year.

"As a Catholic, I frequented at Naples most of the ceremonies which were likely to inspire me with any fresh admiration for the splendid beauties of the religion I had embraced, and moreover enjoyed the blessing of belonging to a family the principal members of which were not likely to remain ignorant of *any* ceremony of the importance which would necessarily attach to one of the nature of that mentioned by Dr. Pusey; but I repeat, I never heard of anything of the kind.

"You are aware that at Christmas the churches at Naples are in the habit of being beautifully decorated, in compliance with the devotional fervour of the Neapolitan peasantry; and generally a 'presepio' is exhibited, containing a figure, representing our newborn Saviour. The parish church of the Royal Palace, San Fernando, is famous for the splendour of its ornaments on this occasion; and I have some recollection that the king does, at this season, pay his devotions at the chapel of San Fernando, which contains the 'presepio'; but for the growing hair and the royal scissors, I cannot help thinking that Dr. Pusey will discover that he has been the dupe of some imaginative Protestant traveller, whose 'wish was father' to the hair-cutting part of the story, which he has trumped up because he could not, by sticking to the unvarnished truth, discern much idolatry or superstition in a mere visit to, and a prayer before, a figurative cradle, performed by a king in pious commemoration perhaps of the adoration of the Child of Bethlehem by the wise men of the east, whom tradition teaches us were also kings.

"I had hoped, on witnessing the extent of Catholic belief to which Dr. Pusey and ——— had arrived, by dint of good faith united to deep and honest research, that a termination had been made at last to the innumerable calumnies and childish statements heaped upon us by 'travellers,' and never expected to find them received by either of the above-mentioned learned divines. * * *

"Allow me to say, I consider that absurdity quite upon a par, as far as argument goes, with the lengthened quotations from *one* work of St. Alphonsus de Liguori, which Dr. Pusey has given to prove that a popular system among Roman Catholics is to preach the Blessed Virgin and the Saints, instead of setting before the soul the Holy Trinity. By only taking into consideration this *one* work, *The Glories of Mary*, destined to illustrate and excite to *one* point of Catholic devotion *only*, Dr. Pusey naturally conveys the idea to those amongst his readers who may not be conversant with the Saint's innumerable treatises on other points of Catholic doctrine, that in the devotion to the Blessed Virgin consists the corner-stone, the alpha and the omega of the Roman Catholic reli-

gion. Would it not have been fairer to make some mention at least of the *Practice of the Love of Jesus Christ*, and *Meditations on the Passion of our Lord*, by the same saintly author? No! by so doing, proof would be afforded that ours was the religion of Jesus Christ: that, whatever veneration and love may be recommended to be nourished towards the Blessed Mother, yet the Son was the aim of our devotion, the object of our adoration, and the only source of blessings now, and of salvation hereafter. This avowal would show that the doctrines of the Church of Rome had remained unaltered; whereas it must be proved, if possible, that Oxford, not Rome, is the centre of the true religion,—and that Rome must go back, not Oxford *go over*. By his mode of argument with reference to the *Glories of Mary*, Dr. Pusey, by quoting the twenty-eighth chapter of St. Augustine's *Soliloquia* to persons unacquainted with the general context of the works of that Father, might prove that Roman Catholics were all predestinarians.

"But I close my letter, * * * and shall only add, that although I do not wish you to imitate Dr. Pusey's readiness to avail himself of 'a traveller's statement,' by contradicting him by means of mine, yet you are at liberty, until you can obtain more direct and official proof from Naples, to make what use you please of my recollections of the religious ceremonies of that city,—to deny that such a miracle as the growth of a doll's hair, trimmed annually by the royal hand, is attempted to be palmed either upon the upper classes of the Neapolitan metropolis, remarkable for their cleverness and good sense, or upon the lower ones, who, if less enlightened, are nevertheless blessed with a fervent piety and simplicity of heart,—which last Christian quality, were it possessed by some of our traducers, would do more towards bringing about an union in the Church of Christ, than will all the volumes of controversy they may write for centuries to come."

So much for Naples: now let us return to Rome. "At Rome," continues Dr. Pusey, "is an image of the Virgin, which on one day of the year nods her head when she grants prayers: the church is thronged to see it." Here we have no authority: Dr. Pusey of course holds himself responsible for the statement. There is a little work published annually at Rome, under the title of *Diario Sacro*,—being a diary of all the functions and sacred observances of every church and chapel in the city. For years we have been in the habit of consulting it day by day, to discover what was to be visited, as either curious or devout. But strange to say, we never happened to light on the day in which this annual exhibition takes place. Yet, if the church in which it occurs be thronged to see it, it must be very public and notorious, and not concealed from any one's eye. However, it would be

easy, and certainly far more satisfactory, for Dr. Pusey to give the name of the church, and the day of the year, in which this singular occurrence takes place; that so we may have better means of verifying his statement. In the meantime, we have no hesitation in giving it a direct contradiction, and expressing our astonishment that he could have admitted such an account into his pages.

As we proceed with Dr. Pusey's "statements," heaped up together from all manner of sources, we literally lose our breath, so mingled with pain and astonishment, and almost indignation, is the perusal of every sentence. With the exception of one writer, the author of the celebrated articles on "Romanism," in the *Quarterly*, we never met a more fervent and rapid enumeration of false charges, than with melancholy and sickening heart we have found in the latter pages of Dr. Pusey's unhappy pamphlet. Statements of travellers, unvouched-for assertions, the fine arts at Munich, popular proverbs, condemned writings,* vague sayings of nameless persons, the bill of fare of cardinals, "common opinion," and many other such things, are thrown together in heedless confusion, to produce a cumulative impression, an overwhelming, suffocating argument, that shall cover us with shame and dismay. Exeter Hall has now indeed at hand a well-stored armoury, from which its skirmishers may draw sharp-pointed weapons; and, when asked for their authority for statements that go beyond any they have ventured to advance, they will tauntingly and triumphantly reply;—"Dr. Pusey: who will venture to suspect *him* of advancing such serious charges in such matters, without having fully verified his facts?" At any former assailant stating such things we could afford to smile; his character must excite a very different feeling.

"Who would but laugh, if such a man there be,
Who would not weep, if Atticus were he!"

We have not heart, we own it, to go into a detailed examination of all he brings forward. Such a passage as the following completely unmans us. "Amongst us, as (in the main) a moral earnest people, Confession is used as a check to sin; in Italy the obligation to it is made consistent with a state of society generally and openly charged with the grossest profligacy, tempting to it, and in itself almost implying the com-

* The treatise on the Scapular from which Dr. P. so liberally quotes, was long ago condemned by the Archbishop of Dublin.

mission of 'adultery in the heart': if common opinion be but partially grounded in truth, we must believe that adulterers and adulteresses receive absolution from the priest, and 'return to the vomit' which they never proposed to quit" (p. 169). On reading this passage, our thoughts were at first painfully inclined to think there was too much in it of thanking, that *we* are not "as the rest of men, . . . adulterers," &c.; but they soon sought out a more pleasing scene. They beheld One mild and venerable, sinless and spotless, standing face to face with a convicted adultress, and trusting in present repentance, bidding her "go, and sin no more."* Whether she "returned to the vomit" or no, it has not been recorded for us—the lesson of mercy and forgiveness was all that was necessary. And, if the Italian priest in his confessional may, through error, or even through over-indulgence, be deceived into pronouncing sentence of forgiveness upon one whose heart is not repentant, and who purposes no amendment, we leave him to His judgment who ever leaned towards tenderness and forgiveness. But that the practice of the confessional there or elsewhere in the Catholic Church is to admit those to absolution whose "purpose" to persevere in sin is known, we must beg leave utterly to deny.

Dr. Pusey proceeds—"In Rome, which calls itself 'Mater Orbis,' the first bishop of the West presides over a government chiefly composed of ecclesiastics, and yet so corrupt, that it has passed into a proverb, that the sight of Rome is incompatible with faith, 'Roma veduta, fede perduta.'" Experience sometimes gives the lie to proverbs: the number of conversions which take place in Rome, the still greater number of confirmations in, or returnings to, the Catholic faith which there occur, may suffice in the present instance.† Moreover, proverbs may be made by enemies as well as friends, by the irreverent as well as by the religious. If a foreigner were to say that the Anglican Church is so corrupt, that it has passed into a proverb in the country, that "the

* John vii. 11.

† One class alone may suffice to prove this point, that of German artists, —Overbeck, Feith of Frankfort, Roden, Müller of Düsseldorf, the two Rippenhausens, the two Schadows, Knapp, Tierlink, the younger Hauser, Keisermann, and many others, might be mentioned. Dr. Pusey, speaking of the school of Munich, says, "In the new school of art in Munich, on the contrary, where religion is in a purer form" [than at Rome], &c. (p. 166.) It may be observed that the Munich school is truly Roman. Its leading artists studied in Rome; Cornelius went to Rome to prepare his cartoons for his painting in the Ludwigskirche in Munich.

nearer the church, the farther from God," that its ministers are so sordid, as to have given rise to the proverb of "no penny, no pater-noster," would any calm reasoner on such subjects admit the force of the argument; and not, at least, inquire whether the friends or foes of the Establishment made and have kept up the proverb? Rome has had its enemies, even such as speak the Italian language: she had them of old in Venice and in Florence; she has them still in all the Italian offspring of French impiety scattered over Europe, or yet lurking in fair Italy itself; quite enough to start and to perpetuate proverbs against her. Again, there is a historical or chronological view of popular sayings, which are often handed down, after the circumstances under which they rose have ceased. And so we may allow that the proverb which Dr. Pusey quotes may have been once applicable, without at all admitting its force at present.* As to the papal government, and the character of the ecclesiastics who compose it at present, we trust that an old proverb will not be considered sufficient to condemn them. Surely the dignitaries of such a Church are not to be pronounced "corrupt" on no better evidence.

Let us proceed. "In Rome, the very day of our Lord's passion (and that during the very hours when he was nailed to the cross for us) is uniformly, amid some outward distinctions of meats, made by cardinals a day of official entertainment, and a feast." Here we have a note, to authorize the charge; it is as follows:—"On Good Friday, Cardinal — received all the cardinals at dinner at two in the afternoon, with many Englishmen in uniform. The dinner consisted of soup, fish, cutlets, and every variety of dish, all made of fish, but undistinguishable, from the riches of the sauces, from any other dinner. This was annual." (MS. Journal.) We almost blush as we transcribe these words from the book of a grave and learned man, engaged in the solemn attempt to prove a charge of idolatry against the venerable Roman Church. Can it be less than blindness in such a one to overlook the heart-melting commemoration of our Saviour's passion in which those cardinals are engaged day after day, and through the entire day, the splendid services with which the Papal

* A comparison of the proverb with the second Novella of the *Decamerone* will probably best prove to what period it owes its origin. There, however, the conclusion drawn is the reverse of Dr. Pusey's. A Jew, finding the conduct of ecclesiastics evil, and seeing that, notwithstanding this, their religion flourishes and increases, is brought to a conviction of its truth, and embraces it.

court does homage to the season, the kneeling at pilgrims' feet and washing them, in imitation of the divine example, and suppose that they who go through all this would select the very hour of our Lord's passion for a festive meeting and the pleasures of the table? For does not Dr. Pusey's narrative cruelly force one to conclude that the day and hour are chosen expressly, almost in mockery of the day?

Now let us see how the truth stands. The services of Holy Week are performed at the Vatican. They are long, and occupy both morning and afternoon on Thursday and Friday in Holy Week. There is but a short interval between the services, and it has been customary, on those two days, to have two repasts in the palace, one presided over by the secretary of state, the other by the maggiordomo. The first is for the higher order, the second for the lower order of persons engaged in the functions. The cardinal will probably invite foreign ambassadors, and some cardinals; the master of the palace, the gentlemen in waiting, masters of ceremonies, and clerks of the chapel, the officers on duty and other official persons. Surely thus far seems nothing more than almost a duty: there would hardly be time for those engaged in the duties of the day to go to their homes from that remote quarter of the city, and return. The days are appointed because of necessity, not by choice. Now as to the dinner. We have our doubts whether, when a duty of hospitality has to be discharged, it be not in better accordance with the precept "not to appear to men to fast," and to "wash our faces," and not to be, "as the hypocrites, sad," to prepare a table in accordance with the rank, and usages of the society, of your guests, observing the precepts of the Church regarding meats, and leaving it to each one (in that his only meal in the day) to regulate himself as he thinks right, rather than to place before them what perhaps would be more becoming food at any time for sinners, the dry fare of the anchoret's table. The choice is meagre enough on those days in Rome, no flesh-meat, nor eggs, nor milk, nor butter, nor cheese; and whatever the rich sauces may have been, which probably, aided by the novelty of the entertainment to the journalist, seemed very "rich," fish, depend upon it, was the sole substance, and oil the only condiment of the feast.* But let not the display of

* We have tasted of these supposed feasts (which would almost deserve to be called Tayestian, if given in the spirit which Dr. P. seems to attribute to them), and can safely pronounce, that many of their recondite and fallacious dishes

their ingenuity by Italian cooks, however misplaced, become a *locus theologicus* in our present controversies.

We are tired of following Dr. Pusey into this sort of detail, but we have several reasons for doing so. First, we find him particularly cautious about evidence which we adduce. "Romanist citations of the fathers," he says, "require to be sifted." (p. 115, note.) Now from one who thus writes, we have a just demand for authenticity in his facts. And if we are apt to be over-credulous in regard to what we deem manifestations of God's power in favour of his Church triumphant, is it less dangerous to be credulous regarding grievous charges, like idolatry, against his Church militant? Secondly, we think it right to call attention to the manner in which any evidence is taken up against us, however ungrounded, however trivial, or however painful. We cannot but trust that many minds of a generous cast will be more easily undeceived by exposure of this eagerness to condemn Rome, at almost any rate, than by any controversial discussion. They will look with misgivings upon a position which requires them to charge her with idolatry, and to accept as sufficient, evidence like this. These reasons must plead our apology for what many readers may consider almost solemn trifling: and if we have expressed ourselves warmly, it has been more in sorrow than in anger at seeing the name of one whom we have long honoured and esteemed, now set down as a voucher for assertions which a few months ago would only have come from an opposite direction—from common adversaries.

We cannot better conclude our article, which, though prolonged beyond our original intention, has not touched on some important topics which we had intended to include in it, than in the words of Mr. Ward, with whom we part with feelings of regard and kindness.*

"Many persons are very painfully affected when things are said in favour of the Roman Churches, without protests being

will better suit the *dura massorum illa*, than those of "English gentlemen in uniform." There are several other secondary errors in Dr. Pusey's account. Formerly the cardinals all dined together semi-publicly; this has long been abolished. Very few, if any, unattached to the palace, dine there at all.

* We ought to have noticed that in the case of University subscription, Mr. Ward allows the "imponens" of the Articles to be the University. We differ from him in two things therefore:—1°. In thinking that the University has declared its "animus" by the practical exclusion of Catholics; 2°. In taking the case of the University only as an illustration, for deciding, by analogy, who is the "imponens" on other occasions of subscription.—p. 77.

also expressed against their corruptions. Now, on the other hand, several persons who fully believe in the existence of those corruptions, dislike this habit of always mentioning them; and this for three reasons: first, it seems ungracious in a Church so faulty as our own to be continually 'throwing stones' at our neighbours, and seems almost to imply (though Mr. Newman nowhere does imply it) that we consider our own Church purer. 2. It tends to make persons forget the true character and claims of the Roman Church, as being a true Church 'built upon the foundations of the Apostles and Prophets,' as having held up for imitation, certainly more than any other Church of modern times, patterns of evangelical sanctity; and having been, even in her worst times, on most points, a firm and consistent witness in act and word for orthodox doctrine, when in that respect it rather becomes us to imitate than to criticise. 3. It tends to make persons forget, what it is so important that they should remember, our own practical corruptions. Surely the faults of others concern us not so nearly as our own; and national Churches, not less than individuals, bear the surest mark of their own condemnation, when they are loud in self-praise. Might not *Rev.* iii. 17, 18, afford at times a useful lesson to many of us English Churchmen?"—*Few More Words*, p. 79.

Art. IX.—*A Collection of National English Airs, &c. &c.*
 Edited by W. Chappell, Esq. F.S.A.

THAT English music and English musicians should so long have been matter of scorn, or at least of indifference, not only on the continent but at home, seems to us, on duly considering the subject, hardly surprising. Music is so closely wedded to romantic poetry, that the decay of the one involves essentially the decline of the other. During the reign of Elizabeth, when the greatest poets flourished, that the musicians of England bore away the palm from every other country is an undisputed fact. That the gradual decline of poetry from that fertile period, till its utter extinction in the cold and epigrammatic reign of Anne, hurried music in its embrace to a like destruction, is equally undeniable. Milton and Purcell, Dryden and Arne, are but exceptions to the general rule, and splendid arguments that individual genius is of no time, but for all ages. For a moment these gifted men arrested the rapid stream in its headlong course to the waters of oblivion, but as they departed, the reaction was only the more intense; and, as if exasperated

by their stout though brief resistance, the rapidity of the torrent increased tenfold, and when Pope and poetry were one thing, England and music were entirely severed. It must not be forgotten that the illustrious Handel was, by birth and education, a German. A brighter period has arrived. Poetry, revived from the Phoenix ashes of our Shakespeares, our Spensers, our Jeremy Taylors, and our Miltons, assumed the living shapes of Scott, Byron, Moore, Shelley, Wordsworth, and all that illustrious constellation of meteors, which became visible at the commencement of the present century, and has since shed such glorious light over the world of literature. Warned by its prophetic voice, music, its golden-tongued sister, has already arisen from the tomb, and already has begun to sing with a voice of marvellous enchantment, and to renew with increased lustre those melodies of early years, which once made England the land of song, the cradle of sweet harmonies. At this opportune period, Mr. Chappell's book appears, as if to cheer on the young musicians of England, by reminding them of the glories of their forefathers, and inciting them to renewed efforts, to equal if not excel them. We must confess, that we were of those who were sceptical as to the existence of any such mine of melodic wealth, as Mr. Chappell has brought to our notice in his very entertaining and laborious work. Of the rich store of melodies belonging to Ireland, and of the numerous (though by no means so authentic) collection of Scottish airs, we have long been possessors; but to England we were not inclined to admit the envied distinction of a worthy rival, or even that of an unworthy competitor; for we imagined the claims of that otherwise undeniably gifted land to be null and void, as regarded the fountains of national melody. Let us cheerfully admit that we have been most agreeably and triumphantly undeceived. Mr. Chappell has brought extensive reading and untired research to the composition of a work so long wanted to support the claims of his countrymen, as vociferously denied by one party, as vehemently claimed by another, to a place among the favoured lands of song,—Spain, Italy, Germany, Ireland, and even France; where feelings and passions the most varied have for ages been represented by sounds, which intoxicate the ear and raise emotions in the heart. Whether he has entirely succeeded in his difficult task remains for another age to determine; but if enthusiasm in his labours can assure him success, we may predicate confidently that he has secured the

approbation of posterity. Mr. Chappell has prefaced the literary volume of his work,* by a very able essay on the "Ancient Minstrelsy of England," which, uniting the gist of the labours of Percy, Ritson, and others, on this interesting subject, unfolds many new ideas, and is altogether a very useful compendium, containing extensive reading laid before the peruser of the book in a few pages. From this we extract an interesting passage, the more readily, since it seems to bear upon our idea of the close connexion between poetry and music.

"It may not be amiss to remark here," says Mr. Chappell, "that no poets of any other country have made such frequent and enthusiastic mention of minstrelsy as the English. *There is not an old poem but abounds with the praises of music.* All our old poets, and Chaucer particularly, seem to have received great pleasure from the music of their time, whatever it was; and never lose an opportunity of describing its beauties and effects."

In illustration of which, Mr. Chappell cites numerous passages from Chaucer, and others of the old poets, all tending to the same end as Adam Davy's* couplet:

"Mery it is in the halle to here the harpe;
The mynstrelles synge, the jogelours carpe."

In this essay we find also some curious passages relating to the rich rewards bestowed upon the then musicians, which prove their services to have been highly valued by the great of those times. Henry the Fifth, at a certain Feast of Pentecost, when entertaining as his guests some illustrious European potentates, endowed sixteen of his minstrels with costly gowns. The same monarch, before his death, granted an annuity of one hundred shillings (a large sum in those days) to each of his minstrels, which grant was confirmed in 1423 by his son Henry VI, and the money disbursed from the Exchequer. Music was then, not to speak profanely, more in esteem than even the offices of the clergy; at least if we may judge from the comparative remuneration on various occasions of the priests for singing dirges, and the minstrels for singing Heaven knows what, certainly not masses. During the reign of Henry VI, at the yearly festivals of the brotherhood of "the Holy Crosse," at Abingdon, in Berk-

* The work consists of two volumes, the one containing the airs in question, and the other anecdotes and remarks on each in succession.

† A poet in the time of Edward II.

shire, a dozen priests were munificently rewarded *with four-pence each*, for chaunting a dirge; while the like number of minstrels received each two shillings and four-pence, to say nothing of food for themselves and their horses; thus insinuating that they were at least seven times more valuable than the dealers in theology: somewhat of a profane conclusion to arrive at. On another occasion, at the celebration of an annual obit at Maxtoke priory, eight priests were engaged from the neighbouring town of Coventry, and six minstrels, called *mimi*, attached to the service of Lord Clinton, and residing with him at his castle of Maxtoke, to sing and play during the refecton of the monks in the hall of the monastery; the minstrels received double the remuneration of the priests (four shillings for two shillings), besides the honour of supping in the "painted chamber" of the monastery with the sub-prior,—an advantage which it is not recorded that the priests were permitted to share.

Mr. Chappell claims for the English the invention of counter-point, which, if it can be substantiated, is matter of infinite honour; for counter-point to music is of as much importance as printing to literature, rendering its resources boundless, its variety never-ending; and, in fact, forming the grand basis of composition, and the most important feature in the education of a musician.

Though Henry VIII was not only a great patron, but (according to Lord Herbert of Cherbury, author of the "*Religio Gentilium*," that singular pot-pourri of piety and infidelity) a composer of ability, distinguishing himself by "setting songs and making of ballads," yet the minstrels and their compositions, strange to say, fell into utter contempt during his reign. A grievous picture of their condition, in the person of Richard Sheale, to whom we owe the preservation of the celebrated ballad of "*Chevy Chase*," beloved of Ben Jonson and Sir Philip Sidney, can hardly be perused without compassion. This unlucky minstrel having been robbed on Dunsmore-heath of sixty pounds, was unable to persuade the public that a person of his now-despised profession could ever have been master of so extravagant a sum. His account of the depression of spirits caused by this unworthy scepticism is amusing, from the quaint humour and melancholy combined which it displays.

"After my robbery my memory was so decayde,
That I colde neather syng nor talke, my wytyts wer so dismayde.

My audacitie was gone, and all my myrry tawk,
 Ther is sum heare have sene me as myrry as a hawke;
 But nowe I am so troubyde with phansis in my mind,
 That I cannot play the myrry knave, according to my kynd.
 Yet to tak thought, I perseve is not the next waye
 To bring me out of det, my creditors to paye.
 I may well say that I hade but evil hape,
 For to lose about threscore pounds at a clape.
 The losse of my mony did not greve me so sore,
 But the talke of the pyple dyd greve me moch mor.
 Sum sayde I was not robde, I was but a lyeing knave.
 Yt was not possible for a mynstrell so much mony to have.
 In dede, to say the truthe, that ys ryght well knowene,
 That I never had so moche mony of myn owene,
 But I had frendds in London, whos namys I can declare,
 That at all tymes wolde lende me cc. l. d. s. worth of ware,
 And sum agayn such frendship I founde,
 That thei wold lend me in money nyn or ten pownde.*—&c. &c.

In another place, Richard Sheale tells us that he had trusted in his harp, and to the acknowledged poverty of such as played on that instrument, for taking him safely over Dunsmore-heath. A sad change indeed from the comfortable independence and "fruitful havings" of the more ancient of the craft, once

"Menstralles of moche honours."

now

"Beggars they are with one consent
 And rogues by Act of Parliament."

From the ashes of dead minstrelsy arose the music of the Church; and with it rests England's undeniable claims to musical pre-eminence among other nations.

To give any just idea of Mr. Chappell's "Remarks on the Tunes," would require more space than we can well appropriate; we shall therefore content ourselves with selecting the accounts of some of the tunes most interesting from their extreme popularity, and about which Mr. Chappell may have brought forward any fresh incidents from the dust and darkness in which centuries have enveloped them.

"My lodging is on the cold ground," if only for its extreme beauty, is an air of peculiar interest to all whose feelings are susceptible of impressions from musical sounds. It is, however, equally an object of interest from the claims which both

* "Chant of Richard Sheale."—British Bibliographer, vol. iv. p. 100.

England and Ireland have laid to the honour of having produced it. Mr. Moore having published it in his *Irish Melodies*, fresh impetus was given among Irish musicians to the opinion that the air was originally Irish. In fairness, however, we must give Mr. Chappell's account of the song:

"This song is taken from Sir William Davenant's comedy of *the Rivals*, acted by His Highness the Duke of York's servants, in 1668, and printed by William Cademan, at the Pope's Head, in the lower walk of the new Exchange, in the same year. Downes, in his *Roscius Anglicanus, or an Historical View of the Stage*, relates that King Charles II was so pleased on hearing Mrs. Davis sing this song in the character of Celania, the shepherdess mad for love, that he took her off the stage, and had a daughter by her, who was named Mary Tudor, and was married to Francis, Lord Ratcliffe, afterwards Earl of Derwentwater. Mrs. Davis (better known as Moll Davis) was one of the actresses who boarded with Sir William Davenant, and was the first who played that part. The air as it is usually played is very different from any of the old printed copies, which are interspersed with a number of paltry symphonies and imitations, detracting very much from the beauty of the melody."

He says nothing about the origin of the music, but informs us in a note that it is the opinion of Mr. Bunting (the well-known collector of the ancient music of Ireland), of Dr. Crotch, Professor Taylor, and other gentlemen of respected talents, that, from internal evidence of the tune itself, it is not Irish, but English; and he also adds that he (Mr. Chappell) has hitherto met with no difference of opinion among musicians upon the subject.

The quaint and melancholy old "Turkelony" turns out to be a dance tune,—we must confess, much to our surprise; we should rather have imagined it to be the sad love-ditty of some forlorn maiden; and Mr. Macfarren, who has harmonized it, seems to have felt the same thing, if we may judge from his mode of arranging the air. The term "lively" prefixed to it, appears a strange misnomer. It is, however, mentioned by Nashe as a dance tune in his "Have with you to Saffron Walden; or doo as Dick Harvey did, that having preacht and beat downe three pulpits in inveighing against dauncing, one Sunday evening, when his wench or friskin was footing it aloft on the greene, with foote out and foote in, and as busy as might be at 'Rogeró,' 'Basolino,' 'Turkelony,' 'All the flowers of the bloom,' 'Pepper is black,' 'Green Sleeves,' 'Peggie Ramsay,' he came sneaking behind a tree, and lookt on; and though he was loth to be seene to countenance the sport, having laid God's word

against it so dreadfully,—yet to shew his good will to it in heart, *hee sent her eighteen pence in hugger mugger to pay the fiddlers.*” “Turkeylony” is also mentioned in Stephen Gosson’s *Schoole of Abuse*, 1579; and the figure of the dance, Mr. Chappell informs us, is in a MS. in the Bodleian Library, written about the year 1570.

“Tom Tinker’s my true love,” known better as “Which way shall I turn me,” as sung in the *Beggar’s Opera*, is contained in D’Urfey’s *Pills to purge Melancholy*,”—a very storehouse of melody. It is also mentioned in a black-letter tract, entitled *The World’s Folly*. “A pot of strong ale, which was often at his nose, kept his face in so good a coulour, and his braine in so kinde a heete, as, forgetting part of his forepassed pride, in the good humor of grieving patience, made him, with a hemming sigh, ilfavouredly singe the ballad of ‘Whilom I was,’ to the tune of ‘Tom Tinker.’” The song begins thus :

“Tom Tinker’s my true love, and I am his dear;
And I will go with him his budget to bear,
For of all the young men he has the best way;
All the day he will fiddle, at night he will play,—
This way, that way, which way you will,
I’m sure I say nothing that you can take ill.”—&c.

From the same source out of which Mr. Chappell derives his account of “My lodging is on the cold ground,” viz. Downes’ *Roscius Anglicanus*, he has extracted an amusing passage about Tom Nokes, whose name has been affixed to a popular old English air.* Tom Nokes, it appears, was a favourite actor in the time of Charles the Second. The following is the passage we allude to :

“At the Duke’s theatre Nokes appeared in a hat larger than Pistol’s, which took the town wonderful, and supported a bad play by its pure effect. Dryden, piqued at this, caused a hat to be made, the circumference of a hinder coach-wheel; and as Nelly (Nell Gwynn) was low of stature, and what the French call *mignonne* and *piquante*, he made her speak under the umbrella of that hat, the brims thereof being spread out horizontally, to their full extension. The whole theatre was in a convulsion of applause; nay the very actors giggled, a circumstance none had observed before. Judge, therefore, what a condition *the merriest Prince alive* was in, at such a conjuncture! ’Twas beyond *odso* and *odfish*, for he wanted little of being suffocated with laughter.”

* Tom Nokes’ jig.

The dramatic authors of the present day would seem to have taken a leaf out of Dryden's book on this occasion, and with little less success; for a modern audience resembles very much a conglomeration of Charles the Seconds; being as easily excited by the most senseless bombast, or the vilest ribaldry in the place of wit, as the laughter-loving, empty-headed monarch himself.

On the subject of "The Carman's Whistle," Mr. Chappell has brought to bear a store of quotations from printed books and MSS. long since buried in the dust of oblivion, to prove what an essential thing was music to the lower classes, in the golden days of good queen Bess. Barbers, cobblers, ploughmen, and even beggars, seem to have considered music a necessary item in their *education*. Everything of interest, every remarkable occurrence, was immediately manufactured into a ballad, and chaunted by the "great unwashed" about the public streets with never-tiring zest. "In a word," says an old author, "scarce a cat can looke out of a gutter, but out starts a halfe penny chronicle, and presently *a propper new ballet of a straunge sight* is endited." We doubt, however, if our "swinish" predecessors had arrived at the perfection of *advertising* in ballads, which is one of the characteristics of to-day; as the innumerable "wants" registered in musical notes and nonsense verses can testify.* "The Carman's Whistle" is alluded to in a letter, with the signature of T. N. to his good friend A(nthony) M(unday), prefixed to the latter's translation of *Gerileon of England*, part II. 1592, 4to. black-letter. "I should hardly be persuaded that anie *professor*," says the epistolizer, "of so excellent *a science* (as printing), would be so impudent, to print such ribaulderie as 'Watkin's Ale,' 'The Carman's Whistle,' and sundrie such other." This is somewhat over particular, when we consider that the letter was addressed by T. N. to his good friend Anthony Munday, who deluged the country with more licentious trash and extravagant rubbish in the shape of bad translations of wretched and indecent French and Spanish romances, than any single individual before or after him.† This same Anthony Munday (for a pleasant castigation of whom we refer our readers to the preface of Southey's

* "Wanted a Governess," "Wanted a Wife," "Wanted a Lion," and, odder than all, "Wanted *an Ass*." Can the latter commodity be scarce in 1841?

† A better instance could scarcely be given than the very romance, in the translation of which T. N.'s methodistical letter appears, "*Gerileon of England*;" a most insane, impious, and immoral mass of nonsense.

admirable translation of *Amadis of Gaul*) was a typification in person of a *Minerva press* denuded of its morality, or rather a dilution of the worst parts of a *Minerva press* twenty times more pernicious and contemptible than that of the present day. A pretty man, truly, to address a sermon to, against such innocent ribaldry as "The Carman's Whistle"!

We lament that our limits will not permit us to lay before our readers the entire article concerning "The Carman's Whistle," which, from its variety of information, and ripe and various reading, does much honour to Mr. Chappell. We must however be content to refer them to the book itself. "Before the days of the rebellion," says Mr. Chappell, concluding this particular subject, "the wane of the empire of the ballad-makers had commenced;" (it has revived now with a vengeance!) and with them has music, as a recreation for the lower classes in England, also gradually declined. Men are now content to plod about their business, without one thought to that amusement which was deemed indispensable by their ancestors."

Concerning the old tune of "Trenchmore," Mr. Chappell has given us many curious passages. It seems to have been a very popular dance tune, from the numerous allusions made to it by the poets and dramatists of that day. In Beaumont and Fletcher's *Island Princess* we find a line,—

"All the windows i' the town dance a new *Trenchmore*."

In Taylor, the water poet, another,—

"Heigh, to the *tune of Trenchmore* I could write."

It is also mentioned by Delony in the second part of his *History of the Gentle Craft*; by Burton, in his *Anatomy of Melancholy*, who says, that mankind are at no period of their lives insensible to dancing. "Who can withstand it?—be we young or old, though our teeth shake in our heads like virginal jacks, or stand parallel asunder like the arches of a bridge,—there is no remedy: we must dance "*Trenchmore*" over tables, chairs, and stools." By Selden, in his *Table Talk*, who gives the following amusing description:

"The court of England is much altered. At a solemn dancing, first you had the grave measures, then the *corantoës** and the

* For the most beautiful specimens of the *corantoës*, or *courantes*, see Handel's "*Suite des Leçons*," Scarlatti's "*Harpsichord Lessons*," Paradis's ditto, and J. S. Bach's "*Suites Anglaises*."

galliards, and this kept up with ceremony; and at length to *Trenchmore* and the cushion dance: then all the company dances, lord and groom, lady and kitchen-maid, no distinction. So in our court in Queen Elizabeth's time, *gravity and state were kept up*. In King James's time things were *pretty well*, but in King Charles's time there has been *nothing but Trenchmore* and the cushion dance, omnium gatherum, tolly, polly, hoite cum toite, &c."

And yet this "*Trenchmore*," so widely popular, *is after* all but a meagre affair;—four insignificant bars four times repeated!—without any striking peculiarity or strongly marked rhythm to recommend it. Several political songs were nevertheless sung to this air, so great was its popularity.

Mr. Chappell very appositely concludes his book with some remarks on the characteristics which distinguish English national airs from those of other countries, which will repay the perusal of all who may feel curious upon this subject. The last paragraph we cannot forbear quoting:

"The editor trusts, however, that he has already satisfactorily demonstrated the proposition which he at first stated, viz. that England has not only abundance of national music, but that its antiquity is *at least* as well authenticated as that of any other nation. England was formerly called '*Merry England*.' That was when every *gentleman* could sing at sight;—when *musical* degrees were taken at the universities, to add lustre to degrees in arts;—when college fellowships were only given to those who *could* sing;—when Winchester boys were not suffered to evade the testator's will, as they do now, but were obliged to learn to sing before they could enter the school;—when music was taught in all public schools, and thought as necessary a branch of the education of 'small children' as reading or writing;—when barbers, cobblers, and ploughmen, were proverbially musical;—and when '*Smithfield* with her ballads made all England roar.' Willingly would we exchange her present venerable title of '*Old England*' to find her '*Merry England*' once again."

With the enviable enthusiasm which dictated the above eloquent expression of a simple feeling of love for the most captivating of the arts, has Mr. Chappell performed his laborious task throughout; and he has produced a book which we anticipate posterity will not willingly allow to perish.

NOTICES OF BOOKS.

The First, Second, Third, and Fourth Books of Reading Lessons, compiled by the Christian Brothers. Powell : Dublin.

WE have to congratulate the Catholic body on the appearance of these admirable works, which, from the 1st book to the 4th, present the system of education adopted by the brothers of the Christian doctrine, and which are so framed as to keep pace with the gradual development of the powers of the human mind, in the course of instruction afforded in the Christian schools.

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In the fourth series, the brothers have, to use the language of their preface, “been careful to intermingle the grave with the pleasing,—the eloquent with the useful,—the facts and principles of science with the truths of religion : consulting alike for the moral and intellectual faculties, and preventing the weariness that might result from an unvaried continuity of the same topics.” This series extends over nearly 400 printed pages, and it embodies

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This class-book we recommend not only as excellent in the great object of instruction, but as an elegant, and, we think, necessary volume for every library.

A Reply to Judge Burton, of the Supreme Court of New South Wales, on the State of Religion in the Colony. By W. Ullathorne, D.D. Sydney, 1840.

Semper eadem; the Church of England rivals us in her pretensions to this motto; whether under the eastern or the western hemisphere, in whatever land, and under whatever circumstances, her characteristics are as unfailing as her endowments. We have here a second “Voice from Australia;” the learned divine who pleaded then so eloquently on behalf of our suffering fellow-Christians, is now here to defend them and their Church; *first* injured, then, according to custom, insulted and vilified by a judge, who, finding himself too much restricted in the colonies in his attempts to wrong a numerous portion of Her Majesty’s subjects, having had *one* unjust sentence set aside by his own brother-judges—and doubtless the others too closely watched to suit his purposes—has

quitted his character and his duties as a British judge, to take up the pen, and by dint of figures over-stated, under-stated, or duplicated, facts distorted in every possible way, or when convenient, quite concealed; accusations made with more or less clearness, according as they were more or less within the reach of investigation; by all those arts of falsehood in short—those “ingenious devices” so useful and so well known to his party—to raise a factious outcry in England against the government and the Catholics, and—to get money; *semper eadem*. This laudable attempt of Judge Burton’s has called up Dr. Ullathorne; and in his short and crushing pamphlet what a statement he has presented to the world! *Could* the Judge’s party be ever brought to hear two sides of a question, or to answer argument otherwise than by invective,—*could* they be brought to admit that there were some limits to the axiom they have acted upon so steadily, that everything is lawful against Catholics, and that the amount of money and clamour to be raised by a book, is the *only* standard of right or wrong to be observed in it—how would they wince under this exposure of their Church, who, always the same—the same in Australia now-a-days as in Ireland—as everywhere—is still, as Dr. Doyle describes her, “crying ‘wolf’ with all her heart to prevent men from enquiring into her hoarded wealth.” How the clerical magistrates in our favoured land, who have transported men by the score for snaring hares, must rejoice in the clerical magistrates of Australia, who having caught these same men, order them to church on pain of twenty-five lashes a Sunday, send their children to schools afterwards censured by their own Archdeacon, who declared that the children “were in a loathsome and horrid state of disease from the neglect of the masters of both institutions,” and preside over trials where torture is inflicted, and such sentences as the following exactly enforced.

“Paramatta, April 24th, 1822.

“Reverend Samuel Marsden presiding on the Bench.

“James Blackburn, attached to the prisoners’ barrack, having been detected in the fact by the Rev. Mr. Marsden.

“The prisoner is sentenced to receive twenty-five lashes every morning, and be kept on bread and water, until he tell who are the four men that were with him gambling.”

“*Penrith.*

“James Pharos, who was accused of robbery, which he at first confessed and afterwards denied, was, on the 18th of May, 1822, sentenced to be flogged every morning till he confessed where the stolen property was. Amongst the three presiding magistrates was the Reverend Mr. Fulton.”

How these poor men must have benefited by next Sunday’s discourse! If they chanced to be Catholics, how they must have been touched by the disinterested and zealous charity of the good

men who were depriving them of every consolation of their own religion, "for their good" assuredly! And these men have the insolence to talk of the "Catholic and convict party"! Truly it can require little of "Government favour" to induce the poor to fly from *them* to the refuge of the Catholic priest. The helpless poor, we take it, are better judges of the tendency of Church-of-Englandism than many a doctor of theology; and had it been only the disgraced and despairing convict they had lost, little enough should we have heard about the matter,—but, alas! they have lost "the ONE-SEVENTH of all the lands of New South Wales, which, monstrous to relate, had been conferred upon them by George the IVth, and resumed afterwards, not so much because it injured the colony (what, indeed, would that have signified, compared with the welfare of the Church of England?), but because they made no use of this incredible grant, brought out no fresh clergymen, and never ceased to require the aid of colonial grants beside. But they have lost it; they are not now *greatly* predominant over the rest of mankind; they are not "raised above mere dependants [in *some* degree dependant it should have been said] on the good-will of those among whom they minister"; and for this is raised the cry of lamentation and wrath over a distressed Church,—help, all good Christians! help, help, oh, Israel! But we say, let every man who has a fancy to worship God his own way, read *here* (and not in story-books and tracts) the aim and tendency of the Church of England. Let every Catholic who would sympathise with the wrongs of his fellow-Christians, read *here* an account of them by one who has suffered and been tried with them, till even his charity, outraged and grieved, has found vent in words of fire.

Works of Josephus. By Whiston.

Fox's Book of Martyrs, various parts. Geo. Virtue.

These reprints are excellent specimens of typography: of the latter work it is needless for us to express any opinion on the present occasion; the value of the former requires no recommendation; its present most convenient and elegant form, added to its great cheapness, ought to ensure it a great circulation.

Dr. Cox's admirable translation of Dollinger's celebrated *Ecclesiastical History*, has reached a third volume. Our readers may rely on finding here a desideratum of the first order. We shall present them with a lengthened notice of the work in a later stage of its progress.

THE
DUBLIN REVIEW.

NOVEMBER 1841.

- ART. I.—1. *Antiquitates Americanæ, sive Scriptores Septentrionales rerum ante-Columbianarum in America.* (American Antiquities, or Accounts from Northern writers respecting America before the time of Columbus.) Copenhagen: 1837.
2. *Samling af de i Nordens Oldskrifter indeholdte Efterretninger an de gamle Nordboers Optagelsesreiser til America fra det 10 de til det 14 de Aarhundrede.* (Collection of the Evidence contained in old writings respecting the voyages of discovery made to America by the ancient inhabitants of the North, from the 10th to the 14th century.) Published by the Royal Society of Northern Antiquaries. Copenhagen: 1837.
3. *The Discovery of America by the Northmen, in the Tenth Century, with Notices of the early Settlements of the Irish in the Western Hemisphere.* By North Ludlow Beamish. London: 1841.
4. *The Discovery of America by the Northmen, in the Tenth Century.* By Joshua Toulmin Smith, with Maps and Plates. London: 1839.

THE subject we are about to discuss is one of strong, vivid, and universal interest. We have to treat of the successive discoveries which the ancient world has made of the new, and those connecting links which have bound their populations together from time immemorial.

It appears that this inquiry is susceptible of much new illustration. The philosophical truth-searcher may cast a fresh and fascinating light over its details, equally unexpected and satisfactory. This new light will principally arise from the concentration and accumulation of the scattered evidences of history that have never yet been fairly brought

together and subjected to comparative analysis. We would seek to collect into a focus of irradiation those broken rays of intelligence that are dispersed through the chaos of literature, and which by their very dispersion lose their appropriate brightness. This is the very best method of arriving at sound conclusions in questions of this nature. For truth consists in the accumulation of evidences, as error consists in their partition.

But besides this concentration and harmonic arrangement of many ancient testimonies on the subject, that have hitherto been kept in separate and confused masses, the recent good fortune of antiquarian investigators has enabled us to confirm our argument, by a series of facts unknown to the historians of the last century.

In entering on this stirring examination, in which our contemporaries on both sides of the Atlantic are implicated, let us solicit the reader's indulgent and patient attention. Let him not be displeased if we find ourselves obliged to lay the basis of our argument in the very remotest ages, and touch upon certain arcana of antiquarian lore that may seem at first sight remote from our leading topic. Nor let him be offended if throughout this disquisition we avail ourselves of large quotations and testimonials from foreign or British authors who have already caught glimpses of the truth. In these cases, so far from wishing to be purely original, we are rather anxious to emulate the pleadings of a lawyer, and to lay the *great current of decisions* of established authority open to the audience.

If it is proper in this disquisition to adopt that venerable maxim, "begin with the beginning," it is likewise proper to add that we know extremely little respecting the beginning of the discoveries we must elucidate. The Jews indeed have a tradition that even in antediluvian times the great quarters and distinctive features of the world were nearly the same as they are at present. They assert that the principal continents, seas, islands, mountains, rivers, &c. of the antediluvian world were nearly in the same relative position in which we find them in modern geography. Such a theory they attempt to prove from the words of Moses, who refers to mountains and rivers subsisting in his time, as subsisting under the same names before the flood. Building on such presumptions, the rabbins go on to assure us that Britain, and even America, were peopled before the deluge. Some learned men have attempted to confirm this notion by the story of Plato's At-

lantis; but we shall see by and by, that the history of Atlantis is referable to a subsequent era.—*Vide Bochart, Grotius, &c.*

Passing by this period of twilight fables, we come to the grand catastrophe of the deluge, of which we have assured biblical record. We shall take for granted the universality of the deluge, as it is confirmed by the gravest authorities, and as the geological phenomena of every land lend it confirmation.

After the deluge, the Noachidæ, or descendants of Noah, extended from the Armenian chain of mountains on which the ark rested, and began to repopulate the continents of our planet.

We will not at present perplex the reader with the elaborate disquisitions of Bryant, Faber, and other authors, on the original distribution of the Noachidæ. Suffice it to say in general terms, that the descendants of Sem principally occupied Asia, the descendants of Cham, Africa, and the descendants of Japheth, Europe, and the Western Isles, of the Gentiles; the primitive language of mankind being diversified more and more, as men receded from the centre of union.

Some scholars have supposed that the Semitic tribes of Eastern Asia first peopled America; but they have little authority for the assertion. Some have given credence to the pretence of the Chinese, that they were the first discoverers of the American continent, because wrecks of Chinese vessels have been found on the coasts of the Pacific Ocean, and because the ancient Peruvians worshipped the sun, and wrote from the top to the bottom of the page like the Chinese. These statements have all been refuted by other writers. Their opinion is of little more value who think that the people of America came from Great Tartary; because they had no horses before the Spanish conquest, and it is almost impossible that the Scythians, who abounded in horses, should bring none with them; besides, the Tartars were never seamen.

Others have imagined that descendants of Cham, the Ammenians, the Phœnicians or Ethiopians, were the first settlers in America. A learned author has maintained, as to the people of Jucatan and the neighbourhood, that they came from Ethiopia by way of the ocean. He grounds this opinion on the practice of circumcision among these nations of America, which was also used by the Ethiopians. These assertions,

however, have little evidence to support them, and they have generally been rejected by the learned.—*Vide Burigni.*

We must therefore agree with the maxim of those who assert that the main stream of human population has always flowed from east to west, and look among the descendants of Japheth for the earliest discoverers of America. The prophecy of Noah was, "God shall enlarge Japhet," and the name of Japhet signifies *enlargement*. The territory of Japhet's posterity was very large; for to quote the words of Bochart, "besides all Europe, great and extensive as it is, they possessed the lesser Asia, Armenia, Media, Iberia, Albania, and those vast regions towards the north which anciently the Scythians inhabited, and now the Tartars inhabit, and it is not impossible that the New World was peopled by some of his northern descendants, passing thither by the Straits of Anien." Thus far Bochart.

Of the sons of Japhet it is necessary here to notice the name of Javan, the reputed ancestor of the Javanes, Iaones, Ionians or Greeks, because some have supposed the Javanians or Ionians the first discoverers of America. No doubt the *great spirit of discovery*, which the Greeks indicated under the names of Perseus and Hercules, early pervaded the regions of the west, apportioned to Gomer, whom we shall hereafter prove to have been identical with Atlas. No doubt the Iaones or Greeks had many struggles with the Gomerites or Atlantians for the supremacy; but we hasten to show that it is to the Gomerites or Atlantians themselves that the discovery of America is mainly to be attributed.

We proceed to support that opinion as the most consistent with historical records, which supposes Gomer, one of the sons of Japhet, to be the ancestor of those who first peopled America. The name of Gomer bears a sense not very dissimilar to that of Japhet. The etymologists inform us that Gomer means *expatiation, immensity, fulfilment, &c.*, words which imply the greatest development and vastness.

The posterity of Gomer, under the name of Gomerians, Cimmerians or Cimbrians, appear to have peopled a part of Asia, and the whole of Western Europe. To illustrate this proposition, we need only cite a few passages from Dr. Well's Sacred Geography.

"The Jewish historian Josephus," says he, "expressly tells us that the Galatians were called Gomerites; and Herodotus tells us that a people called Cimmerii dwelt in those parts; and Pliny

speaks of a town in Troas, a part of Phrygia, called Cimmeris. It is no wonder, therefore, if we find the name of Gomerites, Cimmerians, or Cimbrians, common to the descendants of Gomer's three sons, Ashkenaz, Rephath, and Togarmah,—the ancestors of the Tuscan, the Gothic, and the Celtic races, respectively.

"Thus," continues Dr. Wells, "the colony of the Cimmerii increasing in process of time, and so spreading themselves still by new colonies further westward, came along the Danube, and settled themselves in the country which, from them, has been called Germany. For as to the testimony of the ancients, Diodorus Siculus affirms that the Germans had their origin from the Cimmerians; and the Jews to this day called them Ashkanazim, or descendants of Ashkenaz, son of Gomer. Indeed, they themselves retain plain marks of their descent, both in the name Cimbri, and also in their common name Germans,—that is, Gomeræans. The other name, Cimbri, is easily formed from Cimmerii; and by that name the inhabitants of the north-west peninsula of Old Germany, now-a-days called Jutland, were known, not only to ancient, but later writers; and from this name of the inhabitants, the said peninsula is called Cimbrica Chersonesus, and that frequently in modern authors.

"Out of Germany," continues Wells, "the descendants of Gomer spread themselves into Gaul, or France. To prove this, Camden quotes the testimony of Josephus, where he says that those called by the Greeks Galatæ, were originally called Gomerites. Which words may be understood either of the Asiatic Galatæ, commonly called by us Galatians, or the European Galatæ, commonly called by us Gauls, Galti or Celti. There are testimonies to the same effect from other writers. Thus Appian, in his *Illyrics*, says expressly that the Celtæ or Gauls were otherwise called Cimbri. Again, Lucan calls that ruffian who was hired to kill Marius, a Cimbrian,—whereas Livy and others affirm him to have been a Gaul, and by Plutarch the Cimbri are termed Gallo-Scythians.

"I have produced these testimonies from Camden," says Dr. Wells, in conclusion, "in order to make it plain that the ancient inhabitants of our island were also Gomerites, Cimmerians, Cimbrians, or descendants of Gomer. For it is not to be questioned but that this isle was first peopled from those countries of the European continent which lie next to it, and consequently from Germany or Gaul. Indeed, to me there seems to be no need of adding any other evidence that the Britons were descended originally from Gomer, than the very name whereby their offspring the Welsh call themselves to this very day,—to wit, Kumeru, or Cymro: in like manner, they call a Welsh woman *kumeraes*, and their language *kumeraeg*. It likewise follows that our Angles, who succeeded the old Britons in this part of the isle, were likewise Gomerites, or Cimbrians."

Now, we believe that Gomer the son of Japheth, according to the biblical record, was represented in the language of Grecian literature by Atlas the son of Japetus and Asia. As this supposition is of great importance to our argument, we must strengthen it by a few authorities. As Gomer, in Hebrew, signified *expansion*, so does the name Atlas, which is derived from a Syrian word signifying *space*, or the expansive principle, which, with the greatest energy, developes and supports all things, struggling against all opposition. "Thus," says Pluché, "the word Atlas is derived from the Phœnician *atlah*, to strive with great fatigues and labours." Thence comes the *αθλος* of the Greeks, which signifies *great difficulties, hard combats*. It may likewise be derived from *atlah*, a support, whence the Greek *Στήλη*, a column; or *τλημι*, to sustain.

Thus was the signification of the name Atlas, like that of Gomer, symbolical of *space*. Hence the word *Atlas* and *space* are mythologically the same; and the fables relating to the one will be found to relate to the other. Hence the term *Atlantick*, or *Atlantean*, was applied to whatever was very *spacious* or vast, as Mount Atlas, the Atlantic Ocean, &c.

In the present enquiry, however, we have not so much to treat of the mythological attributes of Atlas, as to develope the analogies that subsist between the history of Gomer and his descendants, and the history of Atlas and his descendants. The more we examine these, the more shall we be convinced that the race of the Gomerites, Cimmerians or Cimbrians, are identically the same people as the Atlantes, Atlantians, or descendants of Atlas.

Atlas is fabled by the ancient Pagans to have been the great patriarch and king of western Europe. His empire, they tell us, reached to the utmost regions of the *west*, and to that sea where the horses of the sun, wearied with their daily course, refresh themselves. A thousand flocks fed in his wide extended plains, and all acknowledged him for their lord. He had many children: the most famous was Hesperus, who reigned sometime in Italy, which was from him called *Hesperia*. He had likewise several daughters, called *Hesperides*, who were in possession of the extreme islands of the west, which were guarded by a great dragon (the Atlantic Ocean). These blessed islands of the *Hesperides* possessed a delicious climate, and were filled with golden fruits of the most delectable relish.

Such are some of the reasons that induce us to believe that the history of the Gomerites or Cimbrians is represented by

that of the Atlantides or Atlantians, who, as Plato informs us, possessed some part of Asia, and the whole of western Europe.

Now, the few records of primeval history which have come down to us, indicate that the Cimbrians or Atlantians were a very enterprising race, and that they cultivated navigation to a great extent in the earliest times. We have several historical fragments to show that the Noachidæ in general cultivated the science of ship-building, and the laws of navigation, with great ardour, during the settlement of nations after the flood. The experience which enabled them to construct the ark could not have been suddenly renounced. Many authors, as Kircher, Vandale, and Campanella, have supposed that the Noachidæ were acquainted with the use of the compass. At any rate, the construction of large vessels must have been an art not neglected, when the different tribes of men had to repair to their respective apportionments of the globe, many of which would seem to have been insular for ages after the deluge.

Much illustration of this theory may be found among the commentators on the *Argonautica*. The adventurous generals of primitive Greece were not the only men that built large ships fitted out for voyages of discovery. They were not the only men whom the "auri sacra fames" urged to undertake naval expeditions in search of the Golden Fleece, or commercial wealth. We shall see anon that our friends the Cimbrians or Atlantians of western Europe were still bolder explorers both by sea and land.

To resume the Greek memorials. We are informed that Perseus and Hercules (the mythological representatives of Grecian discovery) both visited Atlas and the regions of the Atlantians, in hope to get possession of the Atlantic islands, inhabited, as they were, by the descendants of Atlas, entitled the Hesperides. By the aid of Atlas, whose name they extended to the vast mountains of Africa, they appear to have been enabled to reach the *Atlantis*, which originally comprehended all the island territories of the Atlantic Ocean. Thus, in modern times, the single word *Australia* includes the huge cluster of islands in the Pacific hemisphere. Even so we imagine the ancient island of Atlantis, so celebrated by Plato, signified the whole island territory of the Atlantians or Cimbrians, comprising Great Britain, Madeira, the Canaries, the Azores, Cape Verd, and last, not least, the north and south Americas.

The discovery of the western portion of Atlantis, or the

Atlantic islands, which Hercules made by the aid of Atlas (that is, the race of Atlas), is most clearly specified by the ancient writers, and needs no explanation. We would only quote the words of Lempriere respecting the Atlantides or Hesperides, the *Insulæ Fortunatæ* and *Beatæ*, those happy islands of the Atlantic, which Homer has honoured by the epithet, "*Insulæ Elysiaë, Campi Elysii*," or Elysian Fields.

"The island of the Atlantides or Hesperides," says Lempriere, "lay beyond Mount Atlas in Africa. This celebrated island contained gardens abounding with fruits of the most delicious kind, and was carefully guarded by a dreadful dragon (the great deep) which never slept. It was one of the labours of Hercules to procure some of the golden apples of the Hesperides. The hero, ignorant of the situation of this celebrated garden, applied to the nymphs in the neighbourhood of the Po for information, and was told, that Nereus, the god of the sea, if properly managed, would direct him in his pursuit. Hercules seized Nereus (the sea) while he was asleep; and the sea-god, unable to escape from his grasp, answered all the questions which he proposed. When Hercules came into Africa, he repaired to Atlas and demanded of him three of the golden apples. Atlas unloaded himself, and placed the burthen of the heavens on the shoulders of Hercules, while he (Atlas, or the race of Atlas), went in quest of the apples (of the Atlantic islands). At his return, Hercules expressed his wish to ease the burthen by putting something on his head: and when Atlas assisted him to remove his inconvenience, Hercules artfully left the burden, and seized the apples, which Atlas had thrown on the ground."

According to other accounts, Hercules gathered the apples himself, without the assistance of Atlas, having previously killed the watchful dragon which kept the tree. These apples were brought to Eurystheus, and afterwards carried back by Minerva into the garden of the Hesperides, as they could be preserved in no other place. Hercules is sometimes represented as gathering the apples, and the dragon which guarded the tree appears bowing down his head, as having received a mortal wound. The monster is supposed to be the offspring of Typhon (the abyss of waters), and it had a hundred heads, and as many voices. The meaning of this fable is too clear to need exposition. It evidently refers to a certain competition between the *Ionians* or *Greeks*, and the *Cimmerians* or *Atlantians*, for the possession of the produce, or golden fruit, of the Atlantic islands: whether we understand that fruit to have been metallic bullion, or, as many have supposed, oranges, pomegranates, &c.

It is highly probable that these Atlantic islands, or the

western portion of Atlantis, which Plato describes as lying beyond the Pillars of Hercules or Straits of Gibraltar, were, in primitive times, of very great magnitude, and occupied much of the intermediate space between Europe and America. Many modern savans, who have examined the character of the Azores, the Canaries, &c., have confirmed this opinion. In this case, they would naturally have attracted the great admiration of the ancient world, and have facilitated the navigation of the Atlantians, or Atlantes, to north and south America, forming the main body of that grand island *Atlantis*, which, Plato informs us, was as large as Asia and Europe together.

Such was probably the condition of things when the Grecian deluges of Ogyges and Deucalion, occasioned, perhaps, by the elevation of volcanic islands and the overflow of the Euxine, took place. This vast inundation, which overwhelmed so large a portion of Attica, rushed along the Mediterranean, and bursting through the Columns of Hercules, overflowed large tracts of the Atlantic islands. From hence we may probably trace the tradition, that the whole island Atlantis was swallowed up in a sudden deluge.

By way of confirming this general theory, we shall quote a few words from *Müller's Universal History*. "It was the opinion of Pallas," says this learned writer, "that the Euxine and Caspian seas, as well as the lake Aral and several others, are the remains of an extensive sea which covered a great part of the north of Asia." It has been conjectured that the opening of the Bosphorus was the occasion of the draining of this ocean in the midst of Asia and Europe. The memory of this disruption of the two continents was preserved in the traditions of Greece. It appears that this catastrophe was produced by the operation of volcanoes, the fires of which were still burning in the era of the Argonautic voyage. In consequence, the level of the Mediterranean and Atlantic was for a time greatly changed. The ancient navigators complained that a number of shallows infested the regions of the Atlantic ocean; and there is probably some geographical foundation for this remark. We know that Plato, on the authority of ancient traditions which he obtained from the priests of Isis in Egypt, makes mention of a country situated beyond the Pillars of Hercules, which, during a tempestuous night, sank in the deep. The same author notices also a country beyond the Atlantic ocean, and a number of islands which lie near its coast. Moreover, the

tradition of a great continent, fully as large as the old world, was not unknown to Aristotle. It is remarkable, that recent navigators have observed many shallows nearly connected together in a line, stretching from Spain through the Azores towards Newfoundland. It is possible that, after the submersion of this tract of land, which served for the connexion of the two continents, navigation might become excessively difficult, until the overflowed countries gradually sunk to a greater depth, and thus, at the same time, gave occasion to the retiring of the waters from the European coast. It would be too bold to draw an inference from the monument, apparently Punic, which was found some years ago in the forests behind Boston. It is possible that some Tyrians, or Carthaginians, thrown by storms on these unknown coasts, uncertain if ever the same tracts might be again discovered, chose to leave this monument of their adventures. Of their further expeditions there is no trace ; nor do we know whether these adventurers returned, or what attraction the marshy feet of the American mountains held out to the avarice of the Phœnicians.

But an author, who has investigated the history of the Atlantians more accurately than Müller, may now be brought forward. We allude to De Lisle de Sales, author of the *Histoire des Atlantes*, or History of the Atlantians. Paris : 1779. This remarkable work (which forms the first portion of the *Histoire nouvelle de tous les Peuples du Monde*, in fifty volumes), throws very considerable light on the subject. This author has proved that the Atlantes (whom we suppose to be identical with the Gomerites or Cimbrians aforesaid), inhabited a great territory, which we may call Cimbria, or Atlantia, extending from Asia into Europe, and thence to the island territory of the Atlantic Ocean, to which Plato has given the name of Atlantis.

As these passages of De Lisle de Sales have never been translated, we shall quote them at large, in order to elucidate our argument.

“We revolt,” says he, “against the idea that a single people has overrun successively the circle of the countries near the equator, almost to the poles ; that it has spread everywhere, either by itself, or by its colonies ; and that it is the germ of reason and of arts ; and that this germ, developed at the end of immense intervals, has produced the finished ages of Pericles, Augustus, and Louis the Fourteenth.

“But when we weigh maturely this opinion in the balance of criticism, we find that the idea which would admit several legis-

lating peoples would be still more strange, without being as easy to reconcile with the monuments of history.

"Besides, since the *savant* who has made China an Egyptian colony, spreading the light of sciences into all the intermediate countries,—since the celebrated historian of the Celts has made this nation the stock of the greatest family of the universe, I also may claim a right to make my primitive tree push forth its roots into the two worlds. The historians of the Egyptians and the Celts ought not to have, in starting, more privileges than the historian of the Atlantes.

"There are between the Greeks and the Atlantes four intermediate peoples, who have transmitted the treasure of science almost in its integrity; these are the Chaldeans, the Egyptians, the Chinese, and the Indians. If these peoples possess almost the same character,—if they have adopted nearly the same mythological fables,—if there results from their method of calculating times the same synchronisms,—the problem is solved, and there are not two legislating peoples.

"At first sight, the Egyptian and the three Asiatic nations resemble each other in character. I see everywhere souls without energy, governed by bodies without vigour. Everywhere is breathed the devouring air of despotism: everywhere unstable thrones become the prey of the first conqueror who presents himself, or of the first subject who raises the standard of rebellion.

"I find among these four peoples the same superstitions in connexion with the sublime ideas which ought to hinder them from arising, the same mixture of history with theogony, the same use of the double doctrine (of the two principles of good and evil), the same institutions, and the same hieroglyphics.

"All these people have preserved the history of a great cataclysm or deluge, which had overwhelmed the surface of the globe. I have already spoken of the famous victory of Osiris over Typhon, which designated in Egypt the land dried by the sun after the general inundation, and developing its generating principles. The Chaldeans have a Xixuthrus, and the Chinese a Peyron, who saved themselves from the deluge in a kind of canoe. For the Indians, they say that the sea covered the land more than twenty thousand years ago;—that only one mountain towards the north raised itself above the waves, and that it was to its top that the man and the seven women who reproduced the human race retired.*

"It is an immemorial custom throughout all Asia to give a number of heads and arms to the gods whom they adored, as if they wished to designate by that, to a superstitious commonalty, the

* "The learned but paradoxical author of '*Antiquity Unveiled by its Usages*,' has brought together in his book a great number of proofs of the universality of the belief of peoples concerning this great cataclysm."

multiplied acts of the divine intelligence and power. Such is the Fohi of China, the La of Thibet, the Amida of Japan, and the Sommonocodom of the Siamese. All these uniform branches of Anthropomorphism are derived from one same body of doctrine, which has degenerated.

"The Batta of the Indians, the Tauth of the Egyptians, and even the Mercury Trismegistus of the Greeks, designate the same being, who brought the treasure of sciences into the countries where he was deified.*

"The learned author of the *History of Astronomy* (Bailly) has also found a number of synchronisms which result from the methods of calculating times, employed by the people intermediate between the Atlantes and ourselves.

"How should not the chronologists of Asia have arrived at the same results, since they made use of the same methods, especially of the famous lunisolar period of nineteen years, and of the great astronomical year of six hundred years?

"A fact not less extraordinary perhaps, is the agreement of all the orientals in the measure which they give to the circumference of the earth. The degree which results from it only differs by six toises from that which has been measured by the Academy of Sciences, under the auspices of Louis the Fourteenth.

"Our astonishment redoubles, when we discover that all the measures employed by the ancients to determine this circumference are derived from one uniform measure, founded upon nature. When, in appreciating the Persian parasang, the Egyptian chene, the Indian coss, the Greek stadium, and even the Roman mile, we always find the great cubit of twenty inches and a half preserved upon the nilometer of Cairo,—a cubit which is not in the proportion of the human stature, such as it exists to-day; and which supposes a nation of giants, the institutors of a crowd of degenerate peoples.

"The division of the zodiac into twelve signs was also generally known throughout the East; and this knowledge appears to have preceded our vulgar era by 4,600 years. Thus, here is an interval of more than twelve ages before the political existence of the Chinese, the Assyrians, the Indians, and the most ancient people of Asia; and this period may well have been filled up by an astronomical people.

"I only acknowledge, in the history of men, as in that of nature, those facts which may serve as a basis to belief. Now what facts

* "The judicious Kaempfer goes yet much further, in his '*History of Voyages*,' vol. xl. p. 265; for he pretends that the great divinity of China, India, Japan, Ceylon, Siam, and Pegu, however designated in all these countries, under names which have between themselves no analogy, only represent the same being; whose worship is spread as that American tree which multiplies itself by transforming the extremities of its branches into roots."

have I not brought together upon this primitive people? What a mass of light results from this crowd of rays reunited into the same focus!

"Let us reduce to their trunk all scattered branches of this system.

"There are astronomical monuments of the highest antiquity scattered throughout the globe. These traces of learning, everywhere imprinted, announce an enlightened people, as the figures of geometry imprinted on the sand announced to an ancient that the island on which he landed was inhabited by men.

"The nations among whom have been found the deposits of all this knowledge, made no use of it; therefore, they did not invent it. Assuredly, if the revolution of comets had been discovered in Babylon,—if the true solar system had been invented in India,—these great truths would not have remained sterile in Asia for more than forty ages; and Babylon or Benares would have had their Gas-sini and their Newton, before Europe had made one step in physics.

"These sciences were uniform among all the people of Asia and Africa, who had the madness to think themselves indigenous. We must therefore refer them to some single primitive people, who have successively enlightened the greatest part of the globe by their monuments, their colonies, and their works.

"But which is this Primitive People? Plato will show us at least one part of it; and not to deceive any one, it is not in his Republic that I am going to consult its history.

"The most authentic fact which can be cited in favour of the general tradition concerning the existence of a primitive people, is derived from this famous history of the Atlantis of Plato. As this fragment will ever be the basis of all the systems upon the Atlantis, it is important to transcribe it, were it only to save our readers labour. It is in the excellent *Dialogue of Timeus* that the disciple of Socrates throws out his first ideas concerning the Atlantes.

"'Hear, Socrates,' says he, 'a recital very improbable, and yet very true, if we may believe Solon, the wisest of the seven sages. The people of Sais like the Athenians much, because they believe themselves to be of the same origin; wherefore Solon, in the voyage which he made into Egypt, was received in that city with the greatest distinction.

"'One day, when this great man was conversing with the priests of Sais upon the history of remote times, one of them said to him, 'O Solon, Solon, your Greeks are always children; there is not one among you who is not a novice in the science of antiquity. You are ignorant of the exploits of that generation of heroes of whom you are the feeble posterity. I am going to instruct you in the achievements of your ancestors; and I do so in accordance with the divinity who formed you, as well as us, of earth and fire.

"'All that has passed in the Egyptian monarchy for eight thousand years is recorded in our sacred books; but what I am going

to tell you concerning your primitive laws, manners, and the revolutions of your country, goes back nine thousand years.

“ ‘Our calendars relate that your republic resisted the efforts of a great power, which, coming out of the Atlantic sea, had unjustly invaded Europe and Asia,—for then that sea was fordable. Upon its borders was an island, opposite to the opening which you call, in your language, the columns of Hercules. This island was more extensive than Lybia and Asia put together. From thence voyagers might pass to other islands, whence it was easy for them to cross over to the continent.

“ ‘In this Atlantis there were kings whose power was formidable. It extended over this island, as well as over the adjacent islands, and over a part of the continent. Besides that, they reigned on one side over all the countries bordering Lybia, even unto Egypt; and on the side of Europe, even to Tyrrenia. The sovereigns of the Atlantis, proud of so much power, attempted to subjugate your country and ours. Then, O Solon, your republic showed itself superior to the rest of the world, by its courage and virtue. It triumphed over the Atlantes, and preserved us all from servitude. But in the last times there ensued earthquakes and inundations; then all your warriors were swallowed up in the earth in the space of twenty-four hours, and the Atlantis disappeared. Since that catastrophe, the sea which is found in that quarter is no longer navigable, on account of the mud which is formed there, and which arises from the submerged island.’

“ ‘Thus speaks the Egyptian priest in the *Timæus* of Plato. The philosopher, that he might conclusively convince us that there is in his recital neither fiction nor allegory, returns to his Atlantis in his dialogue of Critias, of which some details follow. But it must here be observed, that it is a Greek who speaks, and not a priest of Sais. This will furnish us with a key to some apparent contradictions in the geography of the Atlantes.

“ ‘Let us call to mind that an interval of nine thousand years has elapsed since the epoch of the rupture between the peoples who inhabit beyond the columns of Hercules, and those dwelling on this side. These last had transferred the supreme power to our republic, and it was upon her that rested the whole burden of the war. The others were governed by the kings of the Atlantis.

“ ‘I now come to the exposition of facts, provided, however, my memory does not deceive me upon the details which I only heard in my very early youth. If we are astonished to hear foreigners called by Greek names, I answer that Solon, in ascending to the sources of etymology, having found that the Egyptians, the first authors of this recital, had translated these names into their language, believed he might in his turn take the literal sense of each, and translate it anew into the idiom of his own country.

“ ‘The gods divided among them the earth. The Atlantis was

the portion of Neptune ; he married a mortal woman, and gave an inheritance in his new empire to the children issuing from this marriage. Towards the centre of the island was a little mountain, inhabited by one of those men who they say were born from the bosom of the earth. Evenor was his name ; his wife was called Leucippe, and their only daughter Clito, who, as I have said, is the mortal who had the honour of being associated to the couch of Neptune. This god threw up several entrenchments round this hill of Evenor, to render this retreat inaccessible to men. For navigation was then utterly unknown, and it is there that he brought up the five couple of male and female infants of whom he had become the father. When they were of the age of discretion, he divided the Atlantis into ten parts. Atlas, the eldest son, had the best domain. They gave to him the title of king, and his brothers contented themselves with that of archons.

“The twin brother of Atlas, called in Greek Eumelus, and Gadir in the language of the Atlantis, was the archon of that extremity of the island which is situate opposite the columns of Hercules, and gave to it his name.

“All these sons of Neptune, as well as their descendants, reigned for a long time in the Atlantis. Their empire extended itself over other islands situate along the sea, and finally increased to such a degree as to embrace all the countries situated between Tyrrhenia and Egypt.*

“The family of Atlas was that which arrived at the greatest degree of glory. It amassed riches such as probably no sovereign will ever amass again in the course of ages. Besides, the island furnished in abundance all that is necessary to life. There were mines of orichalque, a metal which is known at present only by name, and which does not yield in value but to gold. The earth nourished a crowd of animals, domestic as well as wild, and even elephants were seen there.

“The inhabitants of Atlantis knew how to construct temples, palaces, and ports. The temple of Neptune, covered over with a covering of gold, was one stadium in length, and three plethras in width. Its height was proportioned to its extent ; but its architecture was of a singular character. They had represented in the sanctuary Neptune standing erect upon a chariot, harnessed with six-winged horses, of such a stature, that the figure touched the vault of the edifice. Around the chariot were a hundred Nereids seated on dolphins. Upon the outer wall appeared the portraits of the kings and queens of the Atlantis, in wrought gold.

“One might discover within the circumference of one royal

* “If Neptune answers to Japhet, by whose descendants the isles of the Gentiles were divided, these passages may elucidate the early fulfilment of the promise, ‘God shall enlarge Japhet, and Canaan shall be his servant,’ &c.”

house a circular hippodrome of one stadium in diameter, where were executed the manœuvres of the cavalry.

“Round the principal city there was a little plain encircled by mountains, from whence there was a gentle and easy slope to the sea. All the length of the island, from one extremity to the other, was 3,000 stadia. But the main measure from the sea to the high ground, was 2,000 stadia. The whole territory of the isle extended itself towards the South. Its figure, a pretty regular parallelogram.

“The archons reigned each in his district, and had the power of life and death. They assembled together every five or six years, and regulated among themselves the general affairs of the island. They were, during a number of generations, just, powerful, and happy. At length, luxury introduced depravity of manners and despotism. Jupiter in his wrath resolved to punish the crimes of the Atlantis; he convoked the immortals to the centre of the universe, from whence he looks down upon all generations. When they were assembled’.....

“The rest of the dialogue is lost.

“Such is the base upon which reposes the history of at least one colony of the Atlantes. It is difficult to weaken the authority of such a text, without overthrowing at the same time all the historical monuments upon which is founded the belief of the universe.

“Plato gives notice himself that his Atlantis is not a fiction. ‘Hear,’ says he, ‘O Socrates, a recital very improbable, and yet very true.’ This is not the style of a philosopher who composes apologies. He tries to render his tale probable, and he takes care not to say that it is not so. We may judge of this by the fable of Crantor, by the picture of Cebes, and by the history of the Troglodites.

“The *Timæus*, wherein the history of the Atlantis is found, is not an epic poem; it is a dialogue after the manner of Socrates, in which it is proposed to give the theory of the soul, to make men acquainted with a rewarding and avenging Divinity, and to destroy the blasphemy of atheists against providence.

“All these sublime objects do not belong to fiction. The history of the Atlantis, which opens the dialogue, seems well-connected with the foundation of the work. This description of the vicissitudes which have changed so many times the face of the globe—this people happy as long as it was just, and whom the gods annihilated when it ceased to be so—prepares for the great truths which the philosopher is about to announce to men. Here is no need of astonishing the multitude by illusions; error of this kind is only adapted for the barbarous legislator who wishes to deceive his victims, and not to the philosopher, who comes to bring to unfortunate beings the last good which could be torn from them—God and immortality.

"Let us observe that Plato spoke in the finest age of Greece, and to the most enlightened of men. He conversed with them on the wars in which their ancestors had distinguished themselves, and of the catastrophes they had undergone. Athens, Egypt—the whole world—would without doubt have contradicted him if he had altered the antique tradition concerning the Atlantis.

"An historical record of the primitive people, made to leave a profound trace in the memory of men, is not out of place at the head of a work destined to propagate the worship of God and virtue. In reality, there is nothing more wonderful in this story of Atlantis, than in that of Herculaneum, buried under the lava of Vesuvius, or the description of the disaster at Lisbon. And we perceive how easy it would have been to a Tacitus and a Buffon, if they had wished to compose *Timæuses*, to introduce into them the pathetic picture of those revolutions of the globe which had happened in their times. In general, fables are very insipid in the beginning of a work consecrated to establish the eternal truths of nature.

"Besides, Plato is not the only writer who speaks of the Atlantis. Homer and Sanconiathon also made mention of them. They existed a long time before the disciple of Socrates, and he has only perpetuated the chain of a tradition which seems to march over ages ere it arrives at posterity.

"Perhaps the Ogygia of Plutarch is the Atlantis of Plato; for this philosopher has delineated the map of it with as much precision as our Buache and our Danville would delineate that of a country which they had measured by the instruments of trigonometry.

"But the philosopher of Cheronœa failing us, I shall cite Diodorus of Sicily, who has devoted some chapters of his universal history in painting the manners and exploits of the Atlantis. When poets, philosophers and historians thus agree in supporting a fact, a critic must have a double portion of argument who expects to overturn it.

"A great number of *savans* have crossed the seas upon the faith of Plato, to go in search of the Atlantis. But in reading attentively the journals of their navigation, I perceive that none of them have had the happiness to land upon the desired island, because none of them had taken the trouble to sail in the right track.

"All have started upon a system they adopted of commenting upon Plato before they had studied Plato, who would have shown them the nothingness of their systems.

"Some have crossed the tropics and taken the shoals of a troubled sea for the country of the primitive people. Others have approached the pole, and have mistaken for the land which they sought the fogs of the region of ice.

"Amidst the multitude of writers who have gone astray in their

researches, I shall speak only of those whose conjectures have made an epoch. Yet I do it with repugnance. I do not wish to lose, in combating the enemy's vessels, the time I might better employ in reconnoitring the coasts of my own island.

"A religious *savant* (and religion and learning are not incompatible) by dint of studying the Bible and Plato, has thought to reconcile them by placing the Atlantis in Palestine.* But this opinion, notwithstanding the display of research and ingenuity which sustains it, does more honour to the piety of its author, than to his logic.

"Palestine is not an island, and as this country does not contain within its bosom mountains elevated enough to have predominated over the surface of the ocean before its retreat, it is probable that it never has been an island.

"There can only be an arbitrary connexion of words between the genealogy of the children of Jacob, such as it is in the Pentateuch, and that of the Atlantis, as it is given in Plato and Diodorus.

"To seek to reconcile the mythology of Greece, Egypt, and Phœnicia with the Jewish annals, is perhaps to degrade the Pentateuch, which ought ever to be for the people of Europe the purest source of history.

"Now Palestine has not been submerged as Plato declares of his Atlantis. Jerusalem is still under the Musulmen, and the posterity of Abraham indulges the expectation of making it one day the capital of the two worlds."

M. Bailly, the celebrated author of the *History of Astronomy*, has placed the Atlantis of Plato in the regions of north-eastern Asia, and argued that the Atlantes were the ancient Thibetians, or Tartars. Notwithstanding the ingenuity with which he has supported this singular paradox, it is now almost universally exploded.

A more rational theory was started by Alaus Rudbeck, of Upsal. He admits that the Atlantes were the same as the Cimbrians, or the descendants of Gomer son of Japheth; but, unhappily, he confines this universal family of Atlantes or Cimbrians, who pervaded the whole of Europe, to his own particular country. With this idea he compiled his celebrated treatise, entitled *Atlantica sire Manheim vera Japheti posterorum sedes ac patria*. This enormous and painful composition, in four volumes folio, endeavours to prove with infinite re-

* "See the historical and critical Essay upon the Atlantis by F. C. Baer. It appears that the author of this system had met with Eurenus, who published his 'Atlantica Orientalis' in 1754. The two works start from the same principle and present the same results."

search, that Sweden, the author's native land, was the Atlantis of Plato. Rudbeck tries to evince that all the gods of mythology, and all the heroes of Asia and Europe, derived their origin from Sweden. He flattered himself that he had discovered in Upsal the capital of the ancient monarchs of Atlantis. No doubt the Swedes would have erected a monument to the doctor, had they not suspected that Charles XII, who loved no systems but those of war, would have overturned it.

Pezron, in his *Antiquities of Nations*, supposes the Celts (who were one family of the Atlantes, or Cimbrians) to have been the inhabitants of the Atlantis, and to have filled all Europe with lights and letters. His theory is not far from the truth, but it is too partial to reconcile the difficulties of history.

Others have maintained the identity of the Ogygia of Plutarch and the Atlantis of Plato. Diodorus Siculus, say they, informs us that the Titans were a race of Atlantians. One of these Titans was Gyges, a famous giant. Now Oga, in northern languages, signified isle; therefore Ogygia is the isle of Gyges: and the submersion of the Atlantis, described by Plato, is evidently to be referred to the famous deluge of Ogyges. It is in a philosophical essay on the moon that Plutarch has related the fable of Ogygia. "This island," says he, "is distant from Britain about five days voyage, sailing westward; there are three others which are about the same distance from each other. In one of these islands the barbarians pretend that Saturn was imprisoned by Jupiter. The great continent which encompasses this ocean is five thousand stadia remote from these islands; yet they are reached by oared vessels. This ocean is everywhere very dangerous to voyagers, on account of shoals and shallows shifted by currents. There is a tradition that it was once frozen. The shores of the continent are inhabited, especially those of a vast bay as extensive as the Palus Mæotides, the mouth of which is over against the Caspian Sea." Such are the words of Plutarch respecting the island of Ogygia. Whether he refers to the same place as the Ogygia mentioned by Homer, is a great question among the critics.

Tournefort, in the beginning of the eighteenth century, enlarged on these ideas. He sailed between the mountains of Calpe and Abyla, which form the columns of Hercules or the Straits of Gibraltar. From thence he extended his voyage into the Atlantic, and flattered himself that he had discovered

in the little archipelago of the Canaries the remains of an ancient continent submerged. He goes so far as to explain this submersion by the rupture of the ancient isthmus of Gibraltar, caused by a violent overflow of the Mediterranean. "Perhaps," says Tournefort, "the terrible irruption of the Mediterranean into the Atlantic, submerged and overwhelmed that famous island Atlantis, which Plato and Diodorus describe. The islands Canaries, Azores, and America, are perhaps the remnants of it." (*Les isles, Canaries, les Azores et l'Amérique en sont peut-être les restes.*)

The speculative author of the *Essai sur la population d'Amérique*, carried his conjectures still further. He supposes that Plato's Atlantis was a vast island that once formed a connecting link between Europe and America. "Dans les commencemens," says he, "cette Atlantide était jointe aux deux continens; ainsi les Celtes y ont passé et y ont laissé quelques mots de leur langue pour monument de leur passage." Thus he concludes that the Atlantes peopled America by the family of the Celts.

But the most direct and positive testimony we find to the theory, that Plato's Atlantis extended to America, and included in its wide signification the American territories, is Moreri. His words are so much to the point that we translate them from his dictionary.

"It would appear," says he, "that the Phœnicians and Carthaginians had some knowledge of America, but that the length and peril of the voyage, the tempestuousness of the Atlantic Ocean, and the insignificance of their experience in navigation, induced them to abandon, or at least to neglect, such enterprises. It would seem as if Seneca, by a kind of prophetic spirit, had predicted the discoveries of the fourteenth and fifteenth centuries; or rather his philosophical knowledge of the secrets of nature and history induced him to consider it as very possible, that men would again discover the vast country which had been already known to the Phœnicians and Carthaginians. In his tragedy of *Medea* he thus expresses himself:—

" 'Venient annis sæcula seris
Quibus Oceanus vincula rerum
Laxet, et ingens pateat tellus
Tethysque novos detegat orbes,
Nec sit terris ultima Thule.'

" 'Years will come in future ages
When Ocean shall loose the chains of events,
And a vast territory shall be laid open,
And Tethys shall discover new worlds,
And Thule no longer be the boundary of the earth.'

"In order to be convinced," continues Moreri, "that America was not absolutely unknown to the ancients, it is enough to consult them. Plato, in his *Timæus*, introduces Egyptian priests, who inform Solon that formerly beyond the Columns of Hercules, or the Straits of Gibraltar, there was a vast island named Atlantis, larger than Asia and Lybia, or Africa, and that it was submerged during a terrible earthquake, and an extraordinary rain which lasted a day and a night. He then speaks of the kings that had governed it, their power and their conquests. Crantor, who first interpreted Plato, assures us that this historical notice is true; and Origen, Porphyry, Proclus, and Marcilius Ficinus, have supported the same opinion. Proclus even quotes an Ethiopian historian, named Marcellus, who wrote the same account. Ficinus justly remarks that while Plato gives as fables, all his own inventions, he introduces this recital concerning the Atlantis with the most serious ceremony, as extremely important and admirable. The old editions of Tertullian appeared to throw doubt on this history, but the passages referred to have been so well restored by Turnebus, and so learnedly expounded by Pamelius, that we can no longer use the testimony of this father against the doctrine of Plato. Besides all this, Diodorus Siculus affirms that certain Phœnicians having passed the Columns of Hercules, were carried by furious tempests to lands far away in the Atlantic Ocean, and that they found a very fertile island opposite Africa, watered by great navigable rivers. If we consider the situation of this island, it was most probably America itself. He adds that the Carthaginians endeavoured to keep the knowledge of this country from the Europeans. The author of the book on the world, which the learned have attributed to Aristotle, or his disciple Theophrastus, likewise assures us, that beside the great island of the Old World, containing Asia, Africa, and Europe, there are yet others, by which we understand him to allude to America. Pliny and Arnobius likewise refer to those lands which Plato describes as submerged. Many modern scholars have embraced the same opinion."

So far Moreri.

Such are the testimonies on which we build our theory respecting the very ancient discovery and population of America. This mass of traditions, so diversified yet so consistent,—derived from such different sources, yet all bearing on the same point,—seems to establish something more than a probability in the affirmative. They convince us that the Phœnicians, Egyptians, and Greeks, were acquainted from the remotest times with Atlantic islands, peopled by Atlantians or Cimbrians, and that these islands comprehended the Americas. It is very remarkable that the words of Plato respecting the political aggrandisement of the Atlantians, in

their Atlantis, correspond with the traditions of the ancient Peruvians and Mexicans, concerning their origin and antiquities. We have no leisure to enter into a comparative analysis of these traditions, but they will be found to confirm and explain the classical memorials in several curious particulars.

It is almost superfluous to remark that if the vast island of Atlantis, which was as large as Asia and Africa—if the grand empire of the ancient Atlantians existed at all—it most probably perpetuated its existence through future ages. Whatever might have been the amount of the inundation recorded by Plato, it seems most unlikely that it could have overwhelmed the whole of so large a territory as that of Atlantis. In all verisimilitude, a considerable proportion of the Atlantian population must have survived the catastrophe. Many of the ancient traditions distinctly imply that the Atlantian race had not entirely perished; and if the Phœnicians gave out a report of their utter annihilation, we well know the reason of their fabricated falsehood. It is explained by the words of the historian before quoted; who tells us that the Phœnicians wished to keep a profitable commerce with the Atlantians to themselves, and endeavoured to conceal their discoveries from the Europeans.

In passing on to a further stage of the investigation, we are assured by Huet and Purchass, that the Christian fathers entertained the same idea of the primitive discoveries of America. As some essential truth forms the basis of most fables, we shall not hesitate to quote the account of St. Brendan recorded by Stillingfleet, in his *Enquiry into the Miracles of the Roman Church*.*

“It is important,” says he, “to notice the seven years’ voyage of St. Brendan in quest of Paradise (or the Elysian Islands), which, in all respects, was the most extraordinary ever made on sea. I shall briefly relate it out of Colganus Capgrave and John à Bosco. St. Berinthus coming to visit St. Brendan, was desired by him to tell what wonders he had lately seen in the sea. Then St. Berinthus related how his disciple Mernoc had found an island near a great rock, called *the delightful island*, whither he had drawn many monks. St. Brendan was so struck with admiration at this pleasant story, that he fell upon his face and praised God for the great discoveries he had made to his people. Forthwith St. Brendan resolves on a voyage thither, and out of three thousand monks

* We look in vain for any account of St. Brendan and St. Berinthus in Alban Butler’s Lives.

makes choice of fourteen to go with him. After this they prepared a small vessel for themselves; very light the vessel was, and covered over with tanned hides, greasing all the seams with butter. Having taken in provision for forty days, they set sail, and had a good gale for fifteen days; then they tugged at their oars till they were all weary, which St. Brendan observing bade them hoist their sails, and let God drive them whither he pleased. After forty days their provision was quite spent, and then they espied a high rocky island, in which after three days they went ashore. Being refreshed here they put to sea again, and came to another island, and after that to one called the *Paradise of Birds*; and for three months after saw nothing but sea. Many other islands they came at with great variety of accidents, too many to be described; as their meeting with a great whale that cast fire and water out of his mouth, which St. Brendan killed by his prayers, and gave them a third part of him to eat; which I suppose, by the fire and water that came out of him, they believed to be pretty well sodden already," &c.

Further discoveries of America, in succeeding ages, would seem to have been made by that branch of the Gomerites, Cimbrians, or Atlantians, which peopled Britain. There are many traditions of this fact still remaining untranslated in the Basque, Welsh, Gaelic, and Erse languages. Those that have stolen forth from their undeserved sequestration, have been cited by Dr. Southey in his notes to the beautiful poem of *Madoc*, founded on these very traditions. We should not be doing justice to our argument respecting the successive discoveries of America, by the Atlantian, Cimbrian, or Celtic races, were we not to quote Dr. Southey's words:—

"Gavran," says he, "was a chieftain of distinguished celebrity, in the latter part of the fifth century. The family of Gavran obtained that title by accompanying him to sea to discover some islands, which, by a traditionary memorial, were known by the name of Gwerdonan Llion, or the Green Islands of the Ocean. *This event, the voyage of Merddin Emrys with the twelve bards, and the expedition of Madoc, were called the three losses by disappearance* (Cambrian Biography).

"Of these islands, or green spots of the floods, there are some singular superstitions. They are the abodes of the Fylwyth Teg, or the Fair Family, and the souls of the virtuous Druids, who, not having been Christians, cannot enter the Christian heaven, but enjoy a heaven of their own. They, however, discover a love of mischief neither becoming happy spirits nor consistent with their original character; for they love to visit the earth, and seizing a man, enquire whether he will travel above-wind, mid-wind, or below-wind. Above-wind is a giddy and terrible passage, below-wind is through bush and brake, the middle is a safe course. But

the spell of security is to catch hold of the grass, for these beings have no power to destroy a blade of grass. In their better moods they come over and carry the Welsh in their boats. He who visits these islands imagines, on his return, that he has been absent only a few hours, when in truth whole centuries have passed away.

"If you take a turf from St. David's church-yard, and stand upon it on the sea shore, you behold these islands. A man once, who had thus obtained the sight of them, immediately put to sea to find them; but they disappeared, and his search was in vain. He returned, looked at them again from the enchanted turf, again set sail, and failed again. A third time, he took the turf into his vessel, and stood upon it till he reached them.

"The inhabitants of Arran More, the largest of the south isles of Arran, on the coast of Galway, are persuaded that in a clear day they can see Hy Brasail, "the enchanted island," from the coast, the Paradise of the pagan Irish. (*Beauford's Ancient Topography of Ireland.*)

"General Vallancy relates a different history of this superstition. 'The old Irish,' says he, 'assert that great part of Ireland was swallowed up by the sea, and that the sunken part often rises, and is frequently to be seen on the horizon from the northern coast. On the north-west of the island they call this enchanted country Tyr Hudi, or the city of Hud; believing that the city stands there which once possessed all the riches of the world, and that its key lies buried under some druidical monument.'

"This enchanted country is called O Breasil, or O Brasil, which, according to General Vallancy's interpretation, signifies the Royal Island. He says it is evidently the lost city of Arabian story, visited by their fabulous prophet Hond, the city and paradise of Irem. He compares this tradition with the remark of Whitehurst on the Giants' Causeway, and suspects *that it refers to the lost Atlantis*, which Whitehurst thinks existed there.

"In his crystal ark,
Thither sailed Merlin with his band of bards,—
Old Merlin master of the mystic lore!

"The name of Merlin, or Merddin, has been canonized by Ariosto and our diviner Spenser. He was the bard of Emrys Wledig, the Ambrosius of Saxon history, by whose command he erected Stonehenge. The Welsh traditions say that Merddin made a house of glass, in which he went to sea, accompanied by nine bards, and was never heard of more. This was the second of the three disappearances from the isle of Britain, by adventurers in search of Flathinnis.

"It is said that Flathinnis, the noble island, lies, surrounded with tempests, in the Western Ocean. But I fear (says Dr. Southey) the account of this paradise is but apocryphal, as it rests on the evidence of Mac Pherson. (*Vide Mac Pherson's History of Britain.*)

“Respecting the third expedition, namely that of Madoc in search of the Atlantic and American territories, it stands on more satisfactory evidence. Strong evidence (says Dr. Southey) has been adduced that Madoc reached America in the twelfth century; and that his posterity exist there to this day, on the southern branches of the Missouri, retaining their complexion, their language, and in some degree their arts.”

Such are the testimonies cited by the author of *Madoc*, and on them he has constructed one of the most learned and interesting of modern poems. To this admirable work we would refer the curious and critical reader for much miscellaneous information connected with the subject, and numerous references that will considerably facilitate his investigation. Perhaps the early traces of Christianity in America are due to these Cimbrian adventurers.

But there were other races or tribes of the Gomerites, Cimbrians, or Atlantians, still more successful, in subsequent periods, in their discoveries of the Atlantic islands and America. We allude to the Northmen, as they were called, scattered along the north-western coast of Europe. These hardy, resolute, and unflinching adventurers, who relied on the traditions of their ancestors respecting the Atlantic territories, boldly put to sea in quest of the *Terra incognita*. Several of their most heroic chiefs would seem to have made these desperate voyages of discovery, and indubitable records exist of their successful result. Ortelius stated these facts in the year 1570; and early in the seventeenth century Myl and Hugo Grotius illustrated this theory. After showing that successive races had found their way to America from several countries of the old world, they proceeded to prove that the Northmen were entitled to especial credit for their Atlantic discoveries. The opinion of Grotius (as his biographer Burigni remarks) is that North America was peopled by persons from Norway, from whence they passed into Iceland, afterwards into Greenland, from thence to Friesland, then to Estoteland—a part of the American continent to which the fishers of Friesland had penetrated two centuries before the Spaniards discovered the New World. He pretends that the names of those countries end with the same syllables as those of the Norwegians; that the Mexicans and their neighbours assured the Spaniards that they came from the North; that there are many words in the American languages which have a relation to the German and Norwegian, and that the Americans still preserve the customs of the country from which they originally sprung.

This work of Grotius was answered by Laet of Antwerp, in a treatise under this title: *Joannis de Laët Antverpiani Notæ ad dissertationem Hugonis Grotii de origine gentium Americarum, et observationes aliquot ad meliorem indaginem difficillimæ illius questionis*: 1743. Such was the title of Laet's work, and though he has shown the erroneousness of many of the arguments and facts brought forward by Grotius, the grand theory respecting the discoveries of the Northmen remains sound and unrefuted.

Grotius, in this work, asserts that many traces of Christianity were to be found in America before the discovery of the Spaniards; Laet, however, denies the fact, and endeavours to support his confutation by the aid of Spanish writers.

This theory respecting the American discoveries of the Northmen, or Norsemen, was confirmed and verified by many subsequent writers, and was pretty well established during the eighteenth century. To corroborate this assertion we need only quote a passage in the *Cyclopædia Britannica*, and a recent article of great merit in the *Foreign Quarterly*, on this subject.

"The early discovery of America by the Northmen," says the reviewer, "is not now made known for the first time, but the evidence on which it rests has never hitherto been published in a simple and satisfactory manner. As early as 1570, Ortelius claimed for them the merit of being the first discoverers of the New World. But in so doing he singularly illustrated the caprice and irregularity which so often marks the progress of opinion. Blind to the real merit of these discoverers, he advanced their claims on wrong grounds; and misled by the account of the voyages of Zeni, which we now know to be for the most part a fabrication, he supposed that America had been discovered by the Northmen whom the Venetians accompanied in the fourteenth century, and confidently asserted that no further praise was due to Columbus than that of originating a stable and useful intercourse with the transatlantic continent.

"Myl and Grotius followed on the same side, and established their leading argument, notwithstanding the cavils of Laet, published in 1643. A correct account of the early discoveries of the Scandinavians in the west was given by Torfæus, in his *Historia Vinlandiæ Antiquæ*, published in 1705, and in his *Gronlandia Antiqua*, which appeared in the following year. But these works soon became too scarce to forward the ends of their publication, and have been long reckoned, even in the north, among the choicest bibliographical rarities. The writings of Suhm, and Schoning, Lindeborg, and Schröder, in which similar information is to be obtained, being in the northern languages, and, in many instances,

only to be found in periodical publications, never enjoyed an extensive European circulation. John Reinhold Foster, in his *History of Voyages and Discoveries in the North*, and some other writers chiefly following in his steps, and familiar to the English reader, have asserted the discovery of America by the Northmen. The only mode of convincing the literary world of a fact, is to publish the documents which prove it. This task was undertaken in the present instance by M. Rafn alone, and he had advanced halfway towards the completion of his work, when the Royal Society of Northern Antiquaries, of which he is the secretary, resolved to take the publication of it off his hands, and the result is the handsome volume which stands at the head of this article. Its typographical execution is every way worthy of the care and industry bestowed on it by M. Rafn and his coadjutors. We have here the original Icelandic text, accompanied by translations in Danish and Latin. In this part of his task the editor has had the invaluable assistance of the learned Icelanders, Fin Magnúsen and Sveinbjörn Egilsson. He has himself added copious notes, with geographical and historical disquisitions."

We have no leisure to follow Mr. Rafn, or his reviewer, through the details of this voyage of discovery, or to trace the successive visits which the Northmen paid to Vinland, whether it be Greenland, or Newfoundland, New England, &c. We shall, however, avail ourselves of the concluding remarks of the critic in the *Foreign Quarterly*.

"The discovery of Vinland," says he, "was not made in an obscure age. It may have been preceded by many remarkable voyages in the west; and we do not venture to deny positively that the stories of the Limerick merchants, respecting the Northmen carried to Great Iceland and the Whiteman's Land, may have had their foundation in some very early transatlantic discoveries. But, confining our attention to what is strictly matter of history, we may remark that the discovery of Vinland was made contemporaneously with the first colonization of Greenland, and the establishment of Christianity in that country and Iceland, and consequently belonged to one of the most interesting periods in the annals of the north.

"The discovery of Vinland was immediately made known in Norway; and in the latter half of the eleventh century, Adam of Bremen heard it from Swein, king of Denmark. 'This discovery,' he emphatically observes, 'is not a fable, but we know it from the certain information of the Danes.'

"There are some curious fragments of ancient Icelandic geographers inserted in the collection. They agree in informing us that Markland and Vinland were to the south of Greenland; and what is very remarkable, that Vinland, the most remote country known to them in that quarter, was supposed to join Africa. When the Ice-

landic geographers tell us that Vinland was supposed to join Africa, they in reality make us acquainted with two facts : first, that it was situated a long way south of Greenland ; and that, secondly, nothing was known of the extent of its shores."

"Columbus," says this talented reviewer in his concluding passage, "visited Iceland in 1567 ; and, from his general appetite of knowledge, it cannot be doubted that he heard of the early voyages of the Northmen, and their discovery of Vinland. What could be more to his purpose, or better adapted to his views, than the fact that the Northmen, the boldest of navigators, had knowledge of a land in the west, which they supposed to extend far southwards till it met Africa ? Or could not the intelligent Genoese find some suggestion in the following more accurate statement of an Icelandic geographer ? '*On the west of the great sea of Spain, which some call Ginnugagap, and leaning somewhat towards the north, the first land which occurs is the good Vinland.*' It would add little to the merit of Columbus to maintain that he was incapable of benefitting by so good a hint."

We hope we have now made out our point, namely, the high probability of those successive discoveries of America reported in the pages of history. We have not attempted to evince this point by any original arguments which might appear as dreams of imagination, but by the concentration, accumulation and orderly arrangement of the whole existing evidence bearing on the topic. The strength of the reasoning is essentially cumulative ; it results from the incorporation of the "*disiecta membra veritatis*." Many ancient testimonies, which, taken separately, might want weight and impressiveness, thus joined together in a consistent mass, become almost invincible. The whole result of probability redounds to the confirmation of each particular count of the plea, and moral conviction is enhanced by a law of increments similar to that of geometrical progressions. We leave it to the reader who has followed us through this long succession of facts and deductions, all harmonizing together, notwithstanding the remoteness of their derivation, whether our case is not established.

Now the main part of this evidence, so consistent, yet so diversified, was extant in the age of Columbus, a most keen and scrutinizing inquirer into geographical questions. Indeed, we have reason to believe that some evidences of American discoveries existed in that day among his fellow-countrymen, which are now lost. What would be the natural result on such a mind but a fixed conviction, not merely derived *à priori* from the physical principles of our planet,

but likewise *à posteriori* from the consent of historical evidences, of the existence of America?

If then we have established our case relative to the ante-Columbusian discoverers of America, we come to regard Columbus himself in a new light. We may not admire him so much as an original discoverer, but as one who repeated and established the accredited discoveries of his predecessors in a most heroic and glorious style of experiment. Thus was the ancient Syrian and Pythagorean system of astronomy revived, restored and developed by Copernicus and Newton. Their immense merit consisted in the examination, accumulation and demonstration of antique theories, that had been well-nigh consigned to oblivion.

And this, in our estimation, requires a loftier and wider range of intellectual science than original discovery itself. Original discovery, as it is called, is often the result of chance, accident, the spirit of contradiction, and even the rashness of desperation. Original discoveries are often struck out in an instant, to the astonishment of their inventors, who had no anticipation of them. Not so with the profound truth-searcher, who, knowing that what is true is not new, and that what is new is not true, searches back through the recondite annals of our planets for the golden links of the sole philosophy. For this man, what perseverance is required, what subtlety, what fine perception of analogies, what a critical analysis of all the elements which constitute probability!

Such men, if not original discoverers, are discoverers of a still higher order. They lay hold of the neglected germ which original discovery had flung on the harsh rocks of incredulity, and develop it into an august and glorious system of demonstrated verity. They seize the little spark of Promethean fire which was just about to perish in the fogs of forgetfulness, and by it they rekindle the universe into a blaze of exulting hope.

If therefore we admire Columbus less as the hardy adventurer (who, with a dogged and desperate resolution, hoping against hope, launched forth on the Atlantic to discover he knew not what), we reverence him more than ever as the keen-sighted and philosophic truth-searcher, who, from the accumulated testimony of ages, in the haughty independence of conscious genius, moulded a most refined yet demonstrable theory of geographical facts. His mind, when he set sail from Europe, was impressed with the same weight of histori-

cal evidences as that we have laid before our readers, and his deduction from them was not less pointed and forceable than that we may now arrive at.

We have now fairly brought our investigation up to the period of Columbus's discovery, when the ordinary histories of America commence. Many further proofs of our theory might be derived from a critical examination of the characters of the nations and languages subsisting in America in the sixteenth and seventeenth centuries. As it is impossible, however, to do justice to this branch of the subject in our contracted limits, we must postpone it altogether to a more suitable occasion.

The preceding argument is mainly confirmed by Mr. Beamish's excellent treatise cited at the head of this article. This opportune publication does much credit to its author's antiquarian judgment and scholastic ability. We cannot better introduce it to the notice of our readers, so as to give them a just idea of its style and contents, than by quoting a portion of the author's preface, and letting him tell his own tale.

"My design (says Mr. Beamish) is to put before the public, in a cheap and compendious form, those parts of Professor Rafn's work which I consider most likely to prove interesting to British readers, the greater part of whom, from the extent and language of the original publication, must necessarily be debarred from its perusal. The translations of the Sagas, and other Icelandic manuscripts, which embrace the whole detail of the discoveries and settlements in America, are made substantially from the Danish version, of the correctness of which, coming from the pen of the learned editor, there can be no doubt. But, in some cases, where the style of this version appeared to the translator to depart too much from the quaint and simple phraseology of the original, the Icelandic text has been specially referred to, and an effort has been made throughout to give to the English narrative the homely and unpretending character of the Icelandic Saga. In all cases where it was thought possible that doubts might arise, or where it was considered necessary to impress some particular fact or statement on the mind of the reader, the original Icelandic word or expression is given; and free use has been made of the copious and lucid notes and commentaries of the learned editor, to explain and illustrate the various etymological, historical, and geographical points which call for observation. As an appropriate introduction to the whole, is prefixed a sketch of the rise, eminence, and extinction of Icelandic historical literature, founded upon the able Danish essay of Dr. Erasmus Muller, bishop of Zealand.

"The eminent historian Dr. Robertson, appears to have been

totally unacquainted with the early voyages of the Northmen to the western hemisphere ; and hence it is presumed, that the present summary of their discoveries may be received as an acceptable introduction to his celebrated *History of America*.

“ The incidental allusions to the voyages and settlements of the Irish, which are contained in the minor narratives, are more likely to excite than satisfy enquiry. Much still remains to be unravelled in this interesting topic, and it is to be regretted that no competent hands have yet been applied to this neglected portion of Irish history. It has been too much the practice to decry as fabulous, all statements claiming for the earlier inhabitants of Ireland a comparatively high degree of advancement and civilization. And, notwithstanding the many valuable publications connected with the history and antiquities of that country, which have from time to time come forth, and the more recent candid, learned, and eloquent production of Mr. Moore, there are not wanting, even among her sons, those who, with the anti-Irish feeling of the bigoted Cambrensis, would sink Ireland in the scale of national distinction, and deny her claims to that early eminence in religion, learning, and the arts, which unquestionable records so fully testify ; and yet a very little unprejudiced enquiry will be sufficient to satisfy the candid mind, that Erin had good claims to be called the school of the west, and her sons—

‘ Inclyta gens hominum, milite, pace, fide.’

“ Thus much, at least, will the following pages clearly show, that sixty-five years previous to the discovery of Iceland by the Northmen in the ninth century, Irish emigrants had visited and inhabited that island. That about the year 725, Irish ecclesiastics had sought seclusion upon the Faroe Islands ; that in the tenth century, voyages between Iceland and Ireland were of ordinary occurrence, and that in the eleventh century, a country west from Ireland, and south of that part of the American continent which was discovered by the adventurous Northmen in the preceding age, was known to them under the name of White-man’s Land, or Great Ireland.”

Mr. Beamish’s book, comprising as it does masterly translations of the original Sagas, will be very properly considered the *text book* on this subject to British readers in general. It will probably lead the way to many historical disquisitions on these topics, if not to many novels and romances, in which the bold heroism and gallantry of the Norse adventurers will be portrayed in their most dramatic and poetic light. They afford singularly striking specimens, scarcely less impressive than Homer’s own delineations—of man in the might of manhood,—physical, animal manhood,—daring for the pleasure of daring,—fearing but the name of fear,—rejoicing in the

arduous,—lured on by the perilous,—believing the almost incredible,—and achieving the almost impossible; they present us with a phase of human nature and human progress, admirably calculated for the boldest triumphs of fiction.

The limits of this article will not permit us to quote from the pages of Mr. Beamish the original Sagas; for these we must refer our readers to the work itself. But we shall endeavour to strengthen some of our preceding positions by his weighty authority. The view we have taken of the merit of the Northmen, as compared to that of Columbus, may appear novel and unfair; but, without any wish to depreciate the glory of a justly-celebrated man, we recommend the following argument of Mr. Beamish as well deserving attention.

“ It may, perhaps (says he), be urged in disparagement of these discoveries of the Northmen, that they were accidental—that Bjarni Herjulfson set out in search of Greenland, and fell in with the eastern coast of North America,—but so it was also with Columbus. The sanguine and skilful Genoese traveller set sail in the quest of Asia, and discovered the West Indies. And even when, in his last voyage, he reached the eastern shore of central America, he still believed it to be Asia, and continued under that impression to the day of his death. Besides, how different were the circumstances under which the two voyages were made! The Northmen, without compass or quadrant,—without any of the advantages of science, geographical knowledge, or personal experience,—without the support of either kings or governments, but guided by the stars, and upheld by their own private resources, and a spirit of adventure which no dangers could deter, cross the broad ocean, and explore these distant lands. Columbus, on the other hand, went forth with all the advantages of that grand career of modern discovery, which had been commenced in the preceding century, and which, under Prince Henry of Portugal, had been pushed forward to an eminent position in the period immediately preceding his first voyage.

“ The compass had been discovered and brought into general use, maps and charts had been constructed, astronomical and geographical science had become more diffused, and the discoveries of the African coast, from Cape Blanco, to Cape de Verde, together with the Cape de Verde and Azore Islands, had produced a general excitement among those who were in any way connected with a maritime life, and filled their minds with brilliant images of fairer islands and more wealthy shores amid the boundless waters of the Atlantic. It should also be recollected that Columbus, ever ready to gather information from veteran mariners, had heard of land seen far to the west of Ireland, and of the Island of Madeira,—had been

assured that four hundred and fifty leagues east of Cape St. Vincent carved wood, not cut with iron instruments, had been found in the sea, and that a similar fragment, together with reeds of an immense size, had drifted to Porto Santo from the west. Added to this was the fact of huge pine trees of unknown species having been wafted by westerly winds to the Azores, and human bodies of wondrous form and feature cast upon the island of Flores. Nor should it be forgotten that Columbus visited Iceland in 1477, when having had access to the archives of the island and ample opportunity of conversing with the learned there, through the medium of the Latin language, he might easily have obtained a complete knowledge of the discoveries of the Northmen, sufficient at least to confirm his belief in the existence of a western continent."

Towards the end of his valuable volume, Mr. Beamish pleads with great fervour and force, that the ancient Irish had no small share in the discoveries of America, particularly that portion of it called by the name of Great Ireland. As this plea may be interesting to our readers in the sister isle, we quote a portion of it.

"From what cause, says Mr. Beamish, could the name of Great Ireland have arisen, but from the fact of the country having been colonized by the Irish? Coming from their own green island to a vast continent, possessing many of the fertile qualities of their native soil, the appellation would have been natural and appropriate; and costume, colour, or peculiar habits, might readily have given rise to the country being denominated White Man's Land, by the neighbouring Esquimaux. Nor does this conclusion involve any improbability. We have seen that the Irish visited and inhabited Iceland towards the close of the eighth century; to have accomplished which, they must have traversed a strong ocean to the extent of about eight hundred miles. A hundred years before the time of Dicuil, namely, in the year 725, they had been found upon the Faroe Islands. In the tenth century voyages between Ireland and Iceland were of ordinary occurrence. And in the beginning of the eleventh century, White Man's Land, or Great Ireland, is mentioned not as a newly discovered country, but as a land long known by name to the Northmen. Neither the Icelandic historians, nor navigators, were in the least degree interested in originating or giving currency to any fable respecting an Irish settlement on the southern shores of North America, for they set up no claim to the discovery of that part of the western continent, their interest being limited to the coast north of Chesapeake Bay. The discoveries of Vinland, and Great Ireland, appear to have been totally independent of each other. The latter is only incidentally alluded to by the northern navigators. With the name they were familiar, but of the peculiar locality of the country they were ignorant; nor was it till after the

return of the Karlsefne from Vinland in 1011, and the information which he obtained from the Skrœlings or Esquimaux, who were captured during the voyage, that the Northmen became convinced that White Man's Land, or Great Ireland, was a part of the same vast continent of which Helluland, Markland, and Vinland, formed portions."

We must not allow ourselves the license of quoting those interesting statements of historical facts, by which Mr. Beamish seeks to confirm his view of the early settlement of the Irish in America.

One short paragraph, however, is too important to be omitted, as it opens up a brilliant field of antiquarian discovery.

"A further examination (says he) of the Icelandic annals, may possibly throw more light on this interesting question, and tend to unravel the mystery in which the original inhabitants of America are involved. Lord Kingsborough's splendid publication in 1829, first brought to the notice of the British public the striking similitude between Mexican and Egyptian monuments. The ruins of Palenque, Guatemala, and Yucatan, rivalling the pyramids of Egypt, or the ruins of Palmyra, were only known to a few hunters, till the end of the eighteenth century, and modern travellers are still engaged in bringing the hidden wonders of this and other regions of the vast American continent to the knowledge of the literary world."—*Vide Waldeck's Voyage Pittoresque et Archéologique dans la Province d'Yucatan, Amérique Centrale.*

The last publication mentioned at the head of this article, namely, Mr. Smith's treatise on the discovery of America by the Northmen, was, we believe, an American work, reprinted in London, and now nearly out of print. Though not equal in merit to Mr. Beamish's composition, it is a very respectable and readable volume. The information of the author on the subject on which he treats, is thrown into the form of dialogues, to which are added three disquisitions. This work like the former, strongly confirms the theory of successive discoveries; but there is nothing sufficiently remarkable to require further notice.

We trust, that in the course of this extensive article, we have done our subject the justice its importance demands. We have endeavoured to illustrate every link in the chain of historical evidences, and have wilfully avoided no difficulty, but resolutely grappled with the apparent anomalies which have perplexed our predecessors.

- ART. II.—1. *The Standard of Catholicity, or an attempt to point out in a plain manner certain safe and leading principles amidst the conflicting opinions by which the Church is at present agitated.* By the Rev. G. E. Biber, LL.D.
2. *Dr. Biber's Standard of Catholicity Vindicated, being a reply to the notice of that work contained in No. 57 of the British Critic.*
3. *An Appeal in behalf of Church Government, addressed to the Prelates and Clergy of the United Church of England and Ireland: being remarks on the Debate in the House of Lords respecting that subject, on the 26th of May, 1840.* By a Member of the Church.
4. *A Letter to the Right Rev. the Lord Bishop of Ripon, upon the State of Parties in the Church of England.* By Walter Farquhar Hook, D.D., Vicar of Leeds.
5. *Catechetical Instructions upon the Doctrines and Worship of the Catholic Church.* By John Lingard, D.D.

IN looking over a late number of an eminent quarterly publication, we found it stated in an article upon the present condition of Ireland, that certain persons in this country had been "converted from *Popery* to the *Catholic Church*."

As we ourselves, like all other Irish Papists, had always been under the impression that the Church of which the pope is the visible head upon earth, was the *Catholic Church*, we were not a little puzzled in our endeavours to conceive what the nature of the "conversion" could be. As, however, the writer was engaged at the time in the discussion of an *Irish* question, we imagined that according to the popular notions about Irish composition, he may perhaps have considered himself at liberty to designate as a *conversion* what to us appeared to be a movement *ab eodem ad eundem*. We very soon, however, observed that by the "*Catholic Church*" he intended to denote a certain *globus individuorum*, who, in their aggregate capacity, are in some public documents called "*The United Protestant Established Church of England and Ireland*;" and the nature of whose faith is correctly indicated by a negative designation, which intimates that there are some doctrines against which they "protest," without suggesting that there are any which they believe. That this fortuitous concourse of individuals were what the writer in question intended to designate as the "*Catholic Church*," was put entirely out of controversy by another passage, in

which he stated that "a second class of evils in Ireland were those which arise from the conflict between the old *Catholic Reformed Church* and the schismatic intruders of Popery."

Having some very strong doubts in our own minds about the propriety of applying the term "Catholic" to a Protestant establishment, in any sense which we ourselves had ever attributed to the term Catholic—believing, in fact, according to what we supposed to be the universal acceptation of that particular adjective, that there was no more propriety in calling the Church of England in Ireland the Catholic Church, than in calling a jackanapes a megatherion, or in calling a barrel of oysters a barrel of whales—we next began to suppose that the writer of the article may have had in his own mind, and in connexion with the word Catholic, some notions different from those entertained by ourselves, and as he stated in another part of the article that this "*Catholic Reformed Church*" of his had been lolling in a state of absolute idleness and inutility "from the Reformation to the year 1824," we imagined it to be possible that by a "Catholic Church" he may have intended to denote a Church which "throughout the whole" of its unprofitable existence had neglected the performance of every one of the duties which it was paid for performing—and that a "Catholic Church," in the sense of this writer, was therefore a Church which had continued for three centuries to obtain money under false pretences. In this respect, however, we were also mistaken; for in another part of the article we discovered a formal definition of the sense in which the term Catholic was used by the writer himself. "Do men know," says he, "the meaning of the word Catholic? It means universal." (p. 133.) Having our doubts about the application of the term now completely removed, and having our minds enlightened by the learned author as to the real meaning of the word itself, we began to consider the matter in a totally different point of view, and to think that the writer in question had been dealing in those particular figures of speech called mendacium and amphibologia, concerning the nature of which amiable sorts of rhetorical artifice he had given some exemplifications of a practical character in the course of the article in question.

Upon extending our perusal to some other publications, we find that this reviewer is not at all singular in his manner of applying the word in question, and that a sort of loose combination has been formed amongst a numerous body of individual Protestant writers, to drop the Protestantism of their

designation and assert the "Catholicity" of what Cobbett used to call "the Church of England as by law and bayonets established." How far the writers in question are justified in this "turn out" against the authority of grammar, analogy, common right, and common sense, we shall now proceed to enquire.

In the course of the observations which we shall have to make upon this subject, we shall rigorously abstain from entering upon the confines of polemical theology. For this prudent abstemiousness one very sufficient reason is, that we who indite this present article are not in any way professionally connected with that science, and that the extent of our acquaintance with it is no greater than that share of theological knowledge which usually enters into what is called a liberal education. Another equally sufficient reason for abstaining from polemics upon the present occasion, is that the subject which we are about to handle is in its own essence of an entirely different nature from everything theological, and that it has, in fact, less connection with the science of theology than it has with geography, arithmetic, or statistics. The question is, in fact, of the simplest possible description, and as abundant materials exist for a satisfactory decision of it, "we hope," as they say in the little prefaces, "to render the merits of it intelligible to the meanest capacity."

In the course of this enquiry we shall take the liberty of making frequent use of the pamphlet of which the title stands third in order at the head of this article. The pamphlet bears evident marks of having been brought out under the actual inspection, or at least with the entire approbation, of an eminent archbishop of the Establishment; and presents within a moderate compass the most copious and authentic account that can be anywhere found of the present condition of the Church of England in respect to its doctrine and discipline;—to the actual principles and dispositions of its most important members, and the probable permanence of the establishment itself.

To begin at the beginning. If the reader will take the trouble (if he should think it necessary) to refer to the *Lexicon* of our old friend Schrevelius, he will see it stated in the proper place, upon the authority of that famous Gymnasiarch, that the Greek word *Καθολικός* is equivalent to the Latin *Universalis*. By the term Catholic, then, it seems that we are to understand the notion of universality in reference to numerical or geographical extension. But as it does not

appear that any Church professes to have as yet *completely* arrived at *this* universality, we suppose that a Church which can have any pretence to a Catholic designation must have made the nearest approximation to this universality—that her doctrines are professed over the most extensive territory, and believed by the greatest amount of actual votaries. Now it appears from the statistics of Adrian Balbi, as quoted in *Blackwood's Magazine* for May 1838, that upon the whole surface of the globe there are 737 millions of persons, and that of these there are 290 millions who profess the Christian religion. Of the 290 millions of Christians, no less than 139 millions are cherished in the warm bosom of the *Roman Catholic Church*; 62 millions are included under the Greek denomination, and are distinguished from the *Roman Catholics* by few points except of discipline alone; whilst there are only 59 millions of persons all over the world who profess the negative doctrines of Protestantism, in all the chromatical and contradictory varieties of infallible dissent. In endeavouring to ascertain how many of these 59 millions belong to the Church of England, we have experienced no small difficulty and embarrassment. The first matter to be enquired into was the existence and situation of the authority which was to characterise the members of the Church of England, by deciding that such and such persons professed to entertain the doctrines of that Church, and that such others did not. Upon this point we were immediately met by a statement in the "*Appeal*," that "the Church of England (unlike every other religious communion) possessed within itself *no power of determining claims to membership*." (p. 64.) But, indeed, not only were we unable to ascertain who are the *members* of this Church, but we were, and are, unable even to discover, with any approximation to a certainty, what her distinctive doctrines are, or whether she has any distinctive doctrines, or, indeed, any positive doctrines at all. Eleven or twelve hundred gentlemen who have been ordained in that establishment, and who still profess to range themselves under its banners, and who are perhaps the most learned, zealous, pious, and influential members of the whole body, have notoriously "incurred a widely-diffused suspicion, have fallen under a very general imputation, of un-Church-of-England opinions." (*Appeal*, p. 71.) Yet these identical persons, although heretical themselves, were able to "cause an assembly of divines to meet very lately in Oxford, and to pronounce a verdict of condemnation for heresy against no less a person than the

Regius Professor of Theology in that University." (*Ibid.* pp. 68-71.) This assembly, however, as we are told upon high authority, had no power at all to interfere in the case, and, accordingly, the archiepiscopal author of the *Appeal* declares, "that their whole proceedings were utterly schismatical: that the trial itself was *coram non judice*, and the decision of no authority whatever in form or in fact." (p. 114.) "The professor condemned as heretical remained, and continues to remain to this hour, in the University, in the possession of his theological office, and as fully as ever authorised to give theological instruction to any student who may think proper to seek it." (p. 69.) The author of the *Appeal* informs us that the disciples of the school of which we are speaking have increased, and are increasing. The augmentation of their numbers hath not, however, been sufficient to protect them against the same sort of treatment which they had themselves bestowed upon the object of their hostility. One of the most important in their series of theological publications was condemned in the present year by the Hebdomadal Board of the University, consisting of the vice-chancellor, heads of houses, and proctors. But a writer in the *Times* (17th March) informed the world that the board had no authority, even from the statutes of the University, to represent, upon such a subject, even the University itself, much less the whole Church Establishment of England. Whilst Dr. Hook, whose name is reported to be the very first upon the list of Sir Robert Peel for a bishoprick, declares (*Letter*, p. 4) "that the determination of the hebdomadal board to censure Mr. Newman was a most unhappy determination, and that a convocation of the University, if summoned for the purpose, would reverse the censure." It does not appear, however, that the occasion was considered as presenting a *nodus dignus vindice tanto*, inasmuch as the convocation has never been summoned for the purpose. The condemnation of the board by the convocation would, however, as it appears, be as futile as the condemnation by the board of the party who procured the condemnation of the regius professor of theology. The author of the *Appeal* informs us that the University has no power whatever to decide any questions of theology; and indeed if they did possess any such authority, the consequences of its actual exertion at present would be inconvenient enough, as "it is notorious that the Universities themselves have not been in agreement as to theological opinions; and that in certain cases, therefore, the same sen-

timents would be reckoned heretical by one of those bodies and orthodox by another." (*Appeal*, p. 69.)

The ingenious Mr. Western, upon seeing three persons engaged in combat, very sagaciously concluded that two of them must be upon one side. But it would be unsafe to draw a similar inference from a discussion in which three or four Universities* were engaged; and the consequence of investing the Universities with the power in question, may therefore be to present us upon a given subject with three or four different infallible rules of faith, each differing from each of the others, and all peradventure in opposition to the sentiments of the Church upon the same subject. But there is another reason why this power to decide upon questions of theology ought not to be possessed by the Universities, and that reason is, that the learned bodies in question so far from being able to decide controverted points in theology, know, in fact, nothing of that science at all; and neither teach nor learn it. The late discussions of several projects for altering the system of education at Cambridge, were founded in a great degree upon the fact that "*theology is scarcely, if at all, introduced into the course in that University.*" (*Times*, May 20th, 1841.) In the same document it is asserted that the "first principle of the system of education adopted in that renowned seminary, is to give every man a liberal education *independently of the profession to which he may ultimately turn himself:*" and the authority of the Rev. Henry Melvill is adduced in support of the position, that "*the best method of becoming ultimately a theologian is to devote one's self in the first instance to the study of the mathematics.*"

In a review of Dr. Peacock's *Observations on the Statutes of the University of Cambridge*, in the *Times* of the 14th April, 1841, the following statement is made upon this subject:—

"The grand *delinquency* of the Universities is confessed to be the slender and inadequate training they afford to students destined for the Christian ministry. Except *occasional* sermons at St. Mary's, the divinity student hears at Cambridge *no theological lectures worth the name.* The Norrisian Professor of Divinity is compelled to *read through Pearson on the Creed*, in each course of lectures—a condition, as Dr. Peacock remarks, which would *infallibly clear his lecture room*, did not the bishop require from candidates for holy orders his certificate of regular attendance. Butler's *Analogy*, once lectured upon in the University, *has disappeared before the all-absorb-*

* Oxford, Cambridge, Dublin, and Durham.

ing mania for mathematics. Occasionally college lectures are given on the Greek Testament, upon one of the Gospels or the Acts of the Apostles—*seldom or never on the Epistles.* Paley's *Evidences*, too, are read. *With this slender furniture most of our young clergy set forth upon their arduous task.* Of rhetoric as an art—*of DIVINITY as a SCIENCE—of casuistry—of criticism, as applied to the SACRED SCRIPTURES, THEY KNOW NOTHING.* All, all *has to be learned,* amidst the cares and interruptions of parochial labour; for, during the few months which in general intervene between the degree and the bishop's examination, unaided and alone, the student adds but little to his stock of real knowledge."

This is certainly a very flourishing state of affairs. But perhaps the reader will be able to form a more satisfactory notion of the amount of theological instruction which is imparted under the present system, by seeing the programme of that which Dr. Peacock proposes to introduce. This proposal we take from the same paper which we have already quoted, into which it has been copied in the words of Dr. Peacock himself:—

"We should be disposed to recommend regular and systematic courses of lectures to be given every year on the following subjects:

"On the *doctrines, liturgy, and articles* of our Church, by the Norrisian professor.

"On the *Hebrew language*, by the regius professor of Hebrew.

"On *biblical criticism*, more especially of the language and books of the New Testament, by a professor of biblical criticism, to be *hereafter* appointed.

"On *ecclesiastical history*, more particularly of the first four centuries after Christ, by a professor of ecclesiastical history, to be *hereafter* appointed.

"On the *canon of Scripture* and the *writings and opinions of the early fathers*, by the Lady Margaret's professor of divinity.

"On *moral philosophy*! and the principles of moral evidence as *affecting the grounds of religious belief*, by the professor of moral philosophy."

From this enumeration it would appear that there are at present *no lectures delivered in the University of Cambridge upon the DOCTRINES of the Protestant Establishment, or upon its LITURGY, or upon its ARTICLES, or upon biblical criticism, or ecclesiastical history, or the canon of Scripture, or the writings or opinions of the fathers, or even upon moral philosophy or the principles of moral evidence as affecting the grounds of religious belief.* The decisions of such a University upon the subject of theology, must be as valuable, as satisfactory, and as conclusive as the decision of Costard in *Love's Labours Lost*, upon a certain well-known arithmetical problem:—

Biron. And three times thrice is nine.

Costard. Not so, sir, under correction, I *hope* it is not so. I hope, sir, that three times thrice, sir—

Biron. Is not nine?

Costard. Under correction, sir, we know *whereunto* it doth amount.

Biron. By Jove, I always took three times three for nine.

Costard. Oh Lord, sir, it were a pity you should be obliged to get your living by reckoning.

Biron. How much is it then?

Costard. The parties themselves, sir, will shew *whereunto* it doth amount.—*Love's Labours Lost*, Act v. Scene 2.

With regard to a few items in the above-given "bill of particulars," it may be mentioned that "all which is required from the divinity student at ordination, is a certificate of attendance upon the Norrisian Professor of Divinity for twenty lectures in one term,* no test whatever being demanded of his *information*." That during the delivery of the said lectures, the majority of the divinity(!) students hold in their hands volumes of all sizes, descriptions, and shapes—history, poetry, novels, travels—whilst some think it a good opportunity to prepare for their examination in Paley's Evidences, or rather in a mere selection from it (p. 28); whilst others of the divinity(!) students amuse themselves with a *song book* or a *jest book*, and train themselves *for the entertainment of a COMING SUPPER PARTY*! (*Letters*, No. 2, pp. 20-21.)

Nor is the Norrisian professor at all singular in his inutility. Indeed he is very much exceeded in this negative line by some other individuals of the same class; for we find that the Lady Margaret's professor of divinity, in the course of twenty-eight years, up to 1836, had acquitted his conscience by delivering at the rate of about a lecture and a half per annum, in the form of sesquiplicate sermons, which he spoke from the pulpit of St. Mary's Church. The author of the *Letters* appears to think that "these great defects may be supplied by an extension of the professorship of *casuistry*." (No. 2, p. 44.) How this "extension" is to be effected, or what the meaning or nature of the proposed extension can be, we are unable to conjecture, as the writer himself had informed us in the preceding page, that the learned professor of *casuistry*, a certain Dr. Barnes by name, had, from the date of his appointment in 1813 up to 1837, a period of nearly a quarter of

* "Letters on the condition of the English Universities, considered as nurseries of the Established Church, by a Graduate of Cambridge;" No. 2, pp. 10-11.

a century, actually delivered no lecture at all! The author of the *Letters* takes upon him to assert that the said Dr. Barnes, *at the time of his election*, was too old to be competent to perform the duties of any professorship. He possessed, however, the advantage of being able to give in his own favour two of the five votes which were necessary to his election. The letter-writer observes, "that the worthy professor must have exercised the utmost efforts of his art to quiet his own conscience as to the manner of his election:" and we may add—as to the manner in which he conducted himself during the continuance of his office. A man whose casuistical capacity was adequate to the tranquillising of his own conscience in such circumstances must have been a master in his art; and the extraordinary evidence of his ability, furnished by the fact of his having never delivered a lecture, affords an additional and perhaps the strongest reason for lamenting that so great a genius should not have given his thoughts to the world upon a subject so important in itself, and to which his abilities appear to have been so peculiarly adapted. In the University of Cambridge there is *no professor of moral philosophy at all*.* (*Letter*, No. 1, p. 44.)

It is unnecessary to enter into any details about the University of Oxford. The Graduate of Cambridge informs us (No. 2, p. 28, note), that the preparation for the examination for a degree, *including the DIVINITY*, "is usually made in a *very few days*," by the well-known process of cramming; and that, in fact, there is no substantial difference between these two "nurseries for the Established Church," in the extent and character of the theological knowledge which they confer upon the clergy of the establishment. "That *the clergy of the Church of England*, when considered in the persons of the majority, and not through the medium of a few bright examples, are at present *grossly ignorant*;" and "that, in particular, the *country clergy* are generally ignorant of the *very foundations* of their faith" (*Letter*, No. 2, pp. 14-24), is a consequence which the Graduate of Cambridge very confidently deduces from the facts already mentioned. Of the value of a decision by such persons upon a theological subject there can be no doubt, if we consider their adjudication merely in the aspect of reasoning and information. How far "the Church" would in any sense defer to a decision by a convocation of such persons in the case of the University of

* One has, we believe, been appointed since the publication of the "*Letter*."

Oxford, we know not; as the most eminent individuals in the establishment observe a complete silence upon the subject.

Neither the archbishop of Canterbury, nor even the bishop of Oxford, nor indeed any other ecclesiastical "authority," appears to have considered it any part of his or their duty to take any public notice of such a state of affairs, or to give so much as an authentic public manifestation of their opinions upon any of the subjects in question. As the matter stands, we have the regius professor of theology declared heterodox by a "tumultuous assembly" of divines possessing no ecclesiastical judicial authority, and scarcely any acquaintance with theology: which assembly was convened by other divines in the University, which other divines are condemned as heretical by the hebdomadal board of the same University; which board has as little authority over the subject matter as the conveners against whom they pronounced sentence of condemnation; which condemnation of the board would be condemned by the convocation, if they were only summoned together for the purpose: whilst the persons who are colloquially called the heads of the Church, appear to have either no authority or no inclination to interfere, even to the smallest extent, in such extraordinary proceedings. The gentleman who is the avowed author of the Tract No. 90, which the board condemned, affirms (*Times*, 17th March), "that [notwithstanding the resolution of the board] his opinion remains unchanged, as well of the truth and honesty of the doctrine maintained in the Tract, as well as of the necessity of putting it forth." Whilst Mr. Sewell, the professor of moral philosophy in the same University, affirms, in the postscript to his letter to Dr. Pusey, that Mr. Newman is "entitled to the gratitude of the Church for having *revived* many most important truths" which "the Church" had, as we suppose, allowed to go altogether to sleep. Another of the Tracts, which have proceeded from the same quarter, has the following passage: "Let the Church [*i.e.* the Church of England] go on teaching with the *stammering lips of ambiguous formularies and inconsistent precedents*." (Letter of a Protestant, in the *Times* of Tuesday, March 9.) In the same letter it is stated that Mr. Froude hated the Reformers, liked Bonner, and thought Bishop Jewel an irreverent dissenter; and that Mr. Newman said that "he looked upon the *communion service* with *grief and impatient sorrow*;" and such or similar must be taken to be the sentiments of the members of the

convocation, who would condemn the board, which had condemned the tractarians, who had convened the assembly of divines who condemned the regius professor of theology, in the University of Oxford: whilst, in the same paper, it was stated a few days before (6th March, 1841) that the Tractarian sect originated at a meeting held in the summer of 1833, at the house of the *domestic chaplain* of the *archbishop of Canterbury*. The letter in the *Times* names the bishops of Exeter, Chester, Chichester, Winchester, London, and Salisbury, as having issued injunctions warning the clergy against the doctrines of the Puseyites. The leading article of the *Times* of the same day, alleges, however, that some of these same bishops have seconded the teaching the same divines upon controverted points of the "greatest importance," and appeals to the candour of the writer of the letter in confirmation of the fact.

Such are a few of the outward and sensible symbols of unity which we discovered in one department of the Anglo-Hibernian establishment.

A considerable number of clergymen, of a different class from the preceding ("of conservative politics and evangelical sentiments"—*Times*, March 9), petitioned the House of Lords, in the course of the last session, for a change in the liturgy, articles, and canons (for a new stock, lock, and barrel); and the bishop of Norwich observed in the course of the debate, that "among the *numberless* clergymen with whom he had spoken upon the subject he had never yet met *a single one* who allowed that he agreed in all points to the subscription which he took at ordination" (*Appeal*, p. 16); that is to say, who really believed what he professed to believe: whilst the bishop of London stated in the same debate, "that he had *never met with a single clergyman* who did not express his unqualified belief in the whole" (*Ibid.* p. 25): declaring at the same time, that he should, for his own part, consider himself as "eating the bread of the Church unworthily, if he were to subscribe *any* articles which he did not *implicitly* believe." (p. 25.) From which it is quite evident that the bishop of London has never had, as he expressed it, "the misfortune to meet *a single one*" of the *numberless* clergymen with whom the bishop of Norwich is acquainted; or with the petitioning clergy of 1833 or 1841, who stated that some of the canons were inexpedient, and some of them *impracticable* (whilst all were obligatory upon the clergy, who were obliged to profess an adherence to the whole); and that some deviations from

the authorised forms and positive obligations of the Church, were found to be so advisable that such deviations had already been actually carried into very general practice. (*Appeal*, xii.) Whilst, again, the author of the *Appeal* declares that "it is admitted that our canons neither are nor can be enforced; that our clergy are not compelled to observe them *except by the diocesan*, and that our *bishops* are not under *any obligation to enforce* them" (p. 127); and that it is notorious, "that neither our clergy are punished for transgressing them, nor our bishops for neglecting to enforce an obedience to them." (p. 128.) And we learn from the same source (p. 133), that a "publication used as a test-book in the Universities for the instruction of even candidates for orders, expressly maintains the doctrine that subscription to the articles implies no more than that the party subscribing will not enter into any controversy upon the points to which the articles relate."

The Bishop of Norwich declared that the Church of England was founded upon liberty of conscience, and the right of private judgment (*Appeal*, p. 14). But the Bishop of London calls the declaration, "a libel upon the Church," (*Ibid.* p. 20), and says that the only way in which the Church "could maintain itself at all, was by keeping true to the one point of the theological compass" (*Appeal*, p. 22). In our attempts to hit off this *one* point, we have not been more successful than in the other parts of the enquiry. The Bishop of London himself told us nothing about it, whilst the author of the *Appeal* acknowledges that *not only the point* of the compass, but the *whole compass itself is a mere nonentity*. He comically adds, that there could not be so much disputation about the direction of the course to which it pointed, if the compass, to say the least of the matter, *were not very much out of repair*; and he concludes by stating that "we have *nobody able to mend it*." (*Ibid.* p. 73). Nobody at all seems to contemplate such a thing as a capacity anywhere to *correct the variations* of the compass, even if it ever should be repaired. The petitioners tell us that the clergy are understood to be bound to the observance of all the canons, although some are "confessedly inexpedient, and some are absolutely impracticable" (*Ibid.* p. 12). But the Bishop of Lincoln tells the House of Lords, as he had previously told Mr. Wodehouse, that the fact of Mr. Wodehouse's entertaining difficulties about the Liturgy and the Athanasian Creed, constituted no obstacle to his admission to holy orders: (*Ibid.* p. 7) and that a similar opinion was given to Mr.

Wodehouse by other prelates whom he consulted : whilst, in another place, we are told, with a reference to the authority and practice of the Bishop of London, “that no conscientious bishop is satisfied with an unexplained subscription to the general *standard*; that he requires, or ought to require, every candidate for orders to stand one examination as to the meaning of that which he subscribes” (p. 120). The Bishop of Norwich himself made some very natural reflections upon the insincerity of “confessing with our lips what we do not confess with our hearts :” whilst the condemnation of No. 90, by the Hebdomadal Board, proceeded expressly upon the ground that the tract reconciled subscription to the thirty-nine articles with the adoption of errors which they were designed to counteract. As a replication upon this position of the Board, it may be stated in the words of Mr. Sewell, that “the thirty-nine articles were not intended as a body of dogmatical teaching, or as a system of theology, whose reception was to be imposed by authority :” although Bishop Burnett had informed us that the aforesaid articles contained “the sum of our doctrine, and the confession of our faith.”

The party however, who consider that “it would be a serious evil to treat these articles as a regular system of theology, or confession of belief, to be enforced by the ecclesiastical power,” are spoken of in the following manner by a high authority.—

“Their teaching has now sunk deeply into the heart of the Church of England ; it has acquired not merely a numerical, but a moral power and influence, which must henceforth make it impossible for any statesman to despise or overlook, and *highly indiscreet for any POLITICAL PARTY unnecessarily to alienate, this element in the constitution of society.* The younger clergy are said to be *very generally* of this school ; it has no want of advocates among their seniors ; it has penetrated into both Houses of Parliament ; and we are confidently informed that it has met with countenance from the bishops themselves. It has completely succeeded in *awakening* in the church that *vital spirit of re-action*, the necessity for which called it into existence. We hear nothing now of a demand for the admission of dissenters into the Universities, of proposals to abolish subscription to the thirty-ninth Articles, or of contemplated changes in the Liturgy ; or, if we do still hear of them, the manner in which they are received, as contrasted with their popularity in 1833, illustrates the completeness of the victory still more forcibly.”—*Times of March 6th*, 1841.

The most comical part of the transaction is, that a polemical

combination, which was formed for the purpose of preventing those alterations in the prayer book "which were called for by many of the clergy and laity," (*Times*, 6th March, 1841), and which has had the effect, as we are told in the same place, of preventing proposals for abolishing subscription to the articles, should be condemned by the University to which they belonged, for advocating an interpretation of the articles which "reconciled a subscription to them with the adoption of errors which they were designed to counteract," and that the champions of resistance to all contemplated alterations in the liturgy of the Church were loud in proclaiming to the world, that the said Church effected its "teaching" through "stammering lips by "ambiguous formularies" and "inconsistent precedents."

Such are a few of the sources of the perplexities which were encountered by us in considering the more public operations of the "Church establishment of England." In examining her more private proceedings, we find ourselves as far as ever from a satisfactory conclusion. The same high authority which we have already quoted, informs us that "a combination of clergymen holding influential stations in the Church, and listened to with great assiduity as preachers, declare that *"the BISHOPS and the MAJORITY OF THE CLERGY are either ignorant of the MEANING OF THE ARTICLES, or have signed them in a FRAUDULENT SPIRIT, and for the sake of EMOLUMENT,"* (*See Appeal*, p. 72), and that the *tracts* which have been circulated by the said entirety of the *bishops*, and *majority of the clergy* acting in form of the Society for the Diffusion of Christian Knowledge, are *positively heretical* :* the Church Missionary Society is also denounced by some members of the Church, holding influential stations, although its character is even higher than that of the Christian Knowledge Society ; and although its muster roll "is adorned with the names of several bishops, including the Bishop of London, who has actually ordained ministers for its operations" (*Ibid.* p. 76). In fact, the greatest number of the clergy of the establishment are at present very actively occupied in protesting not only against the Church of Rome, but against each other ; every man being at liberty as we shall see by and bye, to set up as an infallible authority,—be a pope unto himself.

* We are informed by Dr. Hook (Letter, p. 15) that this society is now distracted by "unhappy discussions, introduced by a party which is suspected of a design to revolutionise the society."

Well may the author of the Appeal exclaim, "what in such a case is to be done by an ordinary man?" (p. 77). What, indeed! In the language of the law, an "ordinary" man, generally means a bishop. In the present instance, however, it is quite clear, that by the expression "ordinary" man, the writer means one of the plain common run of mankind: although he certainly might, without any impropriety, have used it in the more legal and limited sense; as the bishops appear upon some of the occasions in question, to be quite as much puzzled as the most ordinary laymen. Both parties, to use the language of the "Appeal," being "led astray, or left in doubt as to what it is that the Church *in reality recognises*,"—"the Church not having as it seems sufficiently explained its own meaning in every instance" (p. viii).

But the worst of the matter is yet to be told. For we not only do not know what is the meaning of the Church, or what it is that it recognises, but we, unfortunately, do not even know what "the Church" is at all. We were at first inclined to think that our knowledge of the Church of England was at least as extensive as the information which we have concerning our own souls,—that we knew, for example, its *existence*, although we knew nothing very particular about its essence. We had been in the habit of hearing people speak of "the Church" of England, as positively as they spoke of the *Bank* of England, or of the Royal Exchange, or the Court of Queen's Bench; without ever entertaining a doubt about the real existence of the subject matter; and when the Bishop of London publicly proclaimed in the House of Lords, on the 26th of May in the last year, that the Church of England was ready to "lay down the great truths which she extracted from the Bible," we considered the intimation to be as practical as the notice which is occasionally given by the Bank, that she will on such a day be ready to receive applications for advances of not less than £2,000 upon adequate security. Having gotten as far as to be sure of the existence of the establishment, our only remaining difficulty, as we thought, was, to ascertain the *locus* in which her operations were conducted; and we imagined, as a man gets his dividends at the Bank, his marriage license at Doctors' Commons, and his writ of mandamus in the Crown Office,—that there must be some *place* in which one may have his theological doubts removed by the Church, and where, upon making a proper application during the appointed hours of business, he may learn from competent authority what "the great truths are, which the

Church of England has extracted from the Scripture." And as the Bishop of London had moreover asserted in his speech above-mentioned, that "the Church would neglect her duty if she did not lay down those truths," we believed that she was in reality, and for all practical purposes, just as ready, and able, and willing, to instruct a man, as the General Cemetery Company is to inter him. Great was, therefore, our astonishment upon hearing an archbishop of the establishment, actually, and publicly declare in the House of Lords, "*that there was NO INDIVIDUAL, NOR BODY OF INDIVIDUALS, to whom ANY QUESTION of doubt or uncertainty, or ANY scruple or objection could be referred,—nor ANY CONSTITUTED AUTHORITY to whom application could be made in order to determine any such subjects:*" and that no power existed anywhere to "look after such matters"* as the articles of the Church's belief. If the definition of the nature and duties of a Church, which is expressed in the speech of the Bishop of London, be correct, it is evident that the statement of the Archbishop of Dublin had an exceedingly strong resemblance to a declaration, that there is in reality no such thing at all, as the Church described by the Bishop of London;—that the Church of England of which the Bishop of London spoke, only existed, if at all, in fiction and contemplation of law;—that it is *always in abeyance*, like the fee-simple of a rectory;—that, like Rabelais' island, Medamothi, it is situated in that negative locality, called *nowhere*; that it may be a vortex, or a vibration, or a metaphysical substratum for the sustentation of super-*incumbent* accidents; and that, although such an object of internal perception may be, as the lawyers express it, *in nubibus*, yet, that in as far as England was concerned, there was, as the Reverend Sidney Smith would say, no Church of God *here* upon earth at all; there being at this moment no body whatever, "politic or corporate," "aggregate or sole," which possesses the smallest semblance of authority, to decide authentically what the doctrines of the Church of England are, and what they are not. *What then is the Church of England, and where is it to be found?* If it be any thing more than a mere *ens rationis*, will any one point out where its palpable existence can be ascertained, and what the situation is, in which the Church of England is, according to the Bishop of London, "ready to lay down the doctrines which she has extracted from the scriptures, and

* Speech of the Archbishop of Dublin, 7th. Aug. 1833. Appeal, p. 32.

which truths, if she did not lay down, she would most grossly neglect her duty?" How she has performed this duty may be inferred from the statement of the *Quarterly Review* for September 1840, p. 354, that "there is sufficient difficulty in defending the fundamental doctrines of the Anglican Church, merely because having been too long neglected, they go against the notions of many." In the same publication, p. 460, the writer says that Mr. Carlyle "is ignorant of the true powers of the Christian Church, because for so many years the Church herself has permitted him, and others around him, to remain in such ignorance."* This observation was made in reference to Mr. Carlyle's declaration, that the Church itself had become a skeleton, or a scarecrow. But it will sufficiently appear, from the preceding parts of the present article, that Mr. Carlyle gave too substantial a character of the establishment in calling it even a skeleton: and indeed, the author of the Appeal informs us, that in so far at least as concerns the authoritative exposition of "the truths which she has extracted from the Bible," the Church of England "has now *'ceased to be a Church:'*" or at least, that an *essential feature* of that *character* has been *lost*." (p. 74). But although it be quite obvious that there exists no supreme or central authority whatever in the Church, for the purpose of preserving either an actual unity of doctrine, or even a plausible conformity of practice, yet it may perhaps be alleged that each diocese was a sort of a smaller church in itself, and that these independent ecclesiastical jurisdictions, by forming a compact and *quasi* federal alliance, may supply in some degree the want of a more extensive and more centralised administration. It seems however, that the defects, contradictions, and inconsistencies which exist in these minor jurisdictions, are even greater than those which are to be found in the whole body, when taken as a whole; and that there are few, if any, questions of any considerable importance, concerning which the greatest differences do not exist among the bishops themselves. It is unnecessary in this place to enter at much length upon the dissensions that exist between these ecclesiastics upon the questions of baptism, penance, the Athanasian creed, and other portions of the Prayer Book. Upon the subject of baptism, the clergy, as we are informed by the author of the Appeal, are divided pretty nearly into equal parties (pp. 21-2.) The most Rev. author of the *Pamphlet*, adds, with much

* Quarterly, September 1840 (Carlyle's Works), p. 460.

primeval simplicity, that "the Church obviously meant to inculcate *some* (*sic italics* and all) opinion upon the point." He goes on to say: "what is really painful in this controversy, is, that it proves us to be in doubt as to *what is the doctrine* which the Church enjoins—as to *what is the meaning* of the service to which we subscribe." It is unnecessary however to enter upon the other subject of dissension, as it appears that the disputes go down so far as to reach and affect the *very root* and *foundation* of the *character* both of the *episcopal* and *sacerdotal* office. "Ambigitur enim utrum *ordinatio sit sacramentum*"!! (p. 117.)

There exists a controversy, as to whether the words "receive the Holy Ghost by the imposition of our hands," ought to be understood as actually conferring the gift, or as merely equivalent to a benediction or prayer "as if it were said: we pray you may receive it." (p. 118). One party object to the literal meaning, for the very satisfactory reason, that "such meaning is unallowable;" and the other party object to accepting as the potential mood what is expressly clothed in the form of the imperative (p. 117-8). The consequences of this controversy are sometimes queer enough. "The bishop of one diocese teaches a deacon to understand the expression as a prayer, and gives him letters of recommendation to the bishop of another diocese, where he seeks the order of priesthood; but the bishop of the latter diocese considers the opinions of the other bishop to be heretical upon the point, and "accordingly *he rejects the candidate for the very same exposition, which he has been taught by the original bishop to regard as perfectly orthodox.*"

In this case, then, says the author of the Appeal, "how perplexing may be the situation of a clergyman, ordained in Ely, beneficed in Chester, and removed to Gloucester": (p. 119) you may well say perplexing indeed: unless he could be like Cerberus, "three ecclesiastical gentlemen at once." The very *principium individuationis* would be smothered in him, and "his *inward* man," to use the language of Dominic Sampson, "would irremediably confound his notions of his own personal identity." But if such would be the perplexity of a clergyman ordained in Ely, beneficed in Chester, and removed to Gloucester, what must be the condition of a clergyman ordained for the home missionary operations? a sort of ecclesiastical, metaphysical *indivisum eorum*, who may have occasion to go a circuit through twenty dioceses, each having a separate standard of infallibility for itself. "The

doctrine which is held orthodox in one distinct, being denounced as heretical in another" (p. 118), the state of this last man would certainly be worse than that of the first; and is indeed so desperate, that any further contemplation of it has a tendency to bewilder the imagination. But even the dissensions of the bishops are not the most hopeless part of the case; for the author of the Appeal informs us, that "the extent of the schism existing in the Church is advanced so far beyond the sustaining influence of episcopacy, as to be *incurable, even though all our bishops were in harmony amongst themselves*," (p. 143); and the Archbishop of Dublin expressly informs us (Appeal, p. 89) that the opinions of the bishops, even if they were unanimous, have no influence, except with regard to strict legal enactments, the performance of which is enforced by penalties.

Such is a faint and imperfect outline of the picture which the Church of England has drawn of her own condition, at the instant when she has had the modesty to put forth pretensions to the character of Catholicity. The Rev. Sydney Smith informed us lately, that a few years ago he considered this "lottery" as upon the point of going altogether to pieces. We are informed by the *Times*, upon one day, that "the Church of England is staked upon a forthcoming vote of the legislature;" upon another day, at a subsequent period, we learn from the same authority, that the same "Church is struggling for existence." Whilst it appears from the preceding part of this article that she has not even an existence; that she has at least no *spiritual* existence to struggle for; and that, except as a *recipient* of *revenue*, she has really no existence all. To assume in such circumstances a designation which implies a universality of dominion, is the same sort of insane, fatuous presumption, as if the pacha of Egypt had, after the bombardment of Acre, proclaimed himself the monarch of the world, at a time when it was doubtful whether he would not very soon be left without a house over his head. If people will persevere in pretending that the Church of England is in existence at all, it is impossible to prevent them from doing so; and if they wish to decorate her with high-sounding designations, without any regard to veracity, they are at liberty to enjoy this peculiar sort of pastime. They may therefore, "an' they will," call her

"More just, more wise, more learned, more everything"

than any other Church or congregation of people upon earth.

But to assume the denomination of Catholic, in the circumstances of the case, is a piece of silly effrontery, exactly of the same kind as if the archbishop of Canterbury was to put on a tiara and call himself Gregory XVI; or as if the bishop of London, having adorned his person with a pair of red stockings and other appropriate parts of the cardinalian costume, were to write "The Cardinal Aloysius Lambruschini" upon his visiting cards.

If such be the pretensions of the Church of *England* to Catholicity, what shall we say of our friend, the Church of Ireland, which is quartered here at home upon ourselves; which has decreased, is decreasing, and will soon be altogether extinguished; which has, according to the *Quarterly Review*, been asleep during all the time from the Reformation to 1824; which has 861 parishes, in each of which there are less than 50 Protestants; and 151 parishes in which there are no Protestants at all. To give the designation of universal to *this* Church, at a period when it is rapidly approaching to the condition of that sort of substance which the logicians call *pura nihilitas*—to call *such* a Church universal, at such a time, is an operation for which we have no designation remaining; our vocabulary is exhausted.

We have said nothing about the indisputable title of our own most holy Church to the designation of Catholic. Whoever wishes to see that part of the subject altogether disposed of in a few sentences—brief, but irrefutable—has only to refer to Dr. Lingard's admirable *Catechetical Instructions* (p. 36), where he will find this portion of "religious controversy" brought completely to "an end."

ART. III.—*Les Œuvres d'Euclide, en Grec, en Latin, et en Français, d'après un manuscrit très ancien qui était resté inconnu jusqu'à nos jours.* Par F. Peyrard. Ouvrage approuvé par l'Institut de France. Paris: (Vol. i. 1814; vol. ii. 1816; vol. iii. 1818.)

THERE are two Euclids. We do not mean one of Megara, and another of Alexandria; our distinction is of quite another kind: we mean that there are two Euclids who have written elements of geometry. The first, we have no doubt, was of Alexandria, and has left writings, which have come down both in Greek and Arabic. The manuscripts

of these writings differ from each other, as manuscripts will do; and when the best has been made of them which criticism will allow, the errors of humanity may be seen peeping through the manifold merits which they contain. The other Euclid was a native of Utopia, and though probably as ancient as his namesake of Alexandria, was hardly known till after the invention of printing. He wrote works on geometry which were absolutely perfect; a fact so certain, that no one editor of *this* Euclid ever scrupled at rejecting, adding, or altering, wherever there appeared occasion for either process. And what could be more proper? Euclid was perfection; this sentence is not perfection, therefore this sentence is not Euclid. And though editors did sometimes differ about the true mode of turning imperfection into perfection, this proved, of course, not the fallibility of Euclid, but their own. Each of them could see it in the rest, and so it happens that many others can see it in all. After the battle of Salamis, each commander thought Themistocles only second to himself; for which they were laughed at, and Themistocles placed first: every editor of Euclid of Utopia thinks Euclid of Alexandria better than the first Euclid in the hands of any but himself; the inference is as clear. The perfect Euclid is better known in our country than the human one, according to the perfection of Robert Simson, a profoundly learned geometer of the last century. This excellent man (we have as much of right to make him complete as he had to do the same to Euclid) dreamed three times that Theon, a contemporary of the Emperor Theodosius, had translated “Molly put the kettle on” into Greek, and distributed the fragments through the books of the perfect Euclid, altering the context so as to make no violent appearance of transition. He awoke only to set about an edition, in which, by supernatural assistance (for human he had none), he not only threw out the vile kitchen song, but “restored to him those things which Theon, or others, had suppressed, and which had then many ages been buried in oblivion.” If any reader doubt our story, and require us to produce authority for it, we will do so as soon as he shall produce any one single manuscript, or set of manuscripts, which collectively bear out Robert Simson’s restorations,—but not till then.

This preface may serve as well as another, to express that we intend to treat of Euclid of Alexandria,—who is either the Homer of geometry, or else Homer is the Euclid of poetry. It has been the good fortune of both never to be surpassed;

and to complete the parallel, one Pope served Homer just as Simson served Euclid—set him forth as he ought to have written instead of as he did write. It cannot be denied that an Englishman with a head full of Pope and Simson, has very good notions, both of poetry and geometry ; but, for all that, he who would write on Homer must discard the first, while one who would describe Euclid must make light of the second, or at least of his omissions and restorations.

The little we know of the rise of geometry in Greece comes from Proclus, in his commentary on Euclid ; a writer who lived, it is true, five centuries after the Christian era, but who appears to have had access to sources of historical information which are now lost. Passing over his story of the floods of the Nile obliging the Egyptians to invent geometry, we come, among several minor names, to the mention of Pythagoras, Eudoxus, and Euclid. The first, it is said, changed geometry into the form of a liberal science ; and looked at its principles, and considered its theorems, *immaterially* and *intellectually* (ἀδύως καὶ νοερώς): we suppose Proclus means to say that Pythagoras was the inventor of demonstration, and that his predecessors were experimental geometers. He also wrote on *incommensurables*,* and on the regular solids. Eudoxus generalized many propositions, and added three proportions to the three already known, mean what it may : he also employed analysis in augmenting the properties of Plato's sections (the conic sections). Then comes Euclid, who collected the elements (ὁ τὰ στοιχεῖα συναγαγὼν), put many propositions of Eudoxus into order, and perfected others ; strengthening many previously weak demonstrations. He lived in the time of the first Ptolemy, for (Proclus has no other reason) Archimedes mentions him in his first and other books. And they report that when Ptolemy asked him, if there were no easier mode of learning geometry, he answered that there was no royal road. There is nothing else of any importance either in Proclus or elsewhere ; and we must confess that the account of that writer is so pithy and cautious,

* Ἀλόγων is the Greek word, which always meant incommensurables. But Barocius, whose Latin is highly esteemed, translated it *qua explicari non possunt*, and the late Thomas Taylor, the Platonist, who translated Proclus with the love of a disciple, follows Barocius, and cites Fabricius, who thought the word should be ἀναλόγων, proportionals. But surely "incommensurables" makes perfect sense, and we know that some rather acute ideas of incommensurables must have preceded Euclid's theory of proportion. The words of Proclus are, τὴν τῶν ἀλόγων πραγματείαν καὶ τὴν τῶν κοσμικῶν σχημάτων σύνταξιν ἀνέρι.

that we are inclined to give its details more credit than has been usually accorded to them. If Proclus had been given to collect hearsay, he would hardly have written so briefly on the author whom he was annotating: he would, for example, at least have copied the eulogium of Pappus (A.D. 370, or thereabouts) on the suavity of Euclid's manners. We conclude, then, that about the year 300 B. C. Euclid collected the scattered elements of geometry, which had been prepared by his predecessors, and organized them into the system which bears his name.

The first editor of Euclid was Theon, who lived A.D. 380, or thereabouts, and who, as he himself informs us in his commentary on the Syntaxis, had given an edition (ἐκδόσεις) of Euclid; and, among other things, had added to the last proposition of the sixth book. The addition has evidently been made, and follows the "which was to be proved," with which Euclid always ends. This Theon had nearly run off with all the merit; for many of the manuscripts of the Elements head them as if they had been collected by him; and one (mentioned by Savile) has in the margin a distinct statement that Theon was the person who arranged them. There is answer enough to this, first in the silence of the best authorities upon this point, secondly in a quotation of Alexander Aphrodisæus, a commentator on Aristotle prior to Theon, who quotes both Euclid and a particular proposition. He certainly makes the number of this proposition one earlier than it is in our present edition, which seems to indicate (if he have not quoted wrongly) that some one later than himself has made an insertion. But Euclid has been signally avenged; for since the time of Savile, and more particularly since that of Simson, Theon has been made to bear the blame of everything which appeared to any editor short of perfection. Every schoolboy in England, who has looked into the notes to his Simson, has been taught to connect "Theon" and "some unskilful editor." Every editor, from Grynæus downwards, has felt himself able to please his fancy, with an assurance to his readers that he was only undoing Theon.

It is difficult to say when or how Euclid disappeared, any more than other Greek writings: but it is certain that by the seventh century no trace of him was left in Europe. Boethius is said to have translated the first book; but in all probability this pretended translation only refers to the mere description of the four first books which that writer gave, and which continued for a long time to be the only text book

on the subject. The Saracens, who are reported to have destroyed the library of Alexandria (though their subsequent acquaintance with Greek literature would make one suspect they took the books out first), found the treasures of geometry, which the northern barbarians had extirpated throughout the West, and began the task of translation, though not until they had been in possession of Alexandria nearly a century and a half. Translations of Euclid were made under the auspices of the caliphs Haroun al Raschid and al Mamon (we follow D'Herbelot in the spelling); and there was a considerable number of commentaries and abridgments. There were also, a little later, two celebrated translations, which became known in Europe. The first by Honein Ben Ishak (who died A.D. 873), which was corrected by Thabet Ben Corrah, an astronomer of unlucky fame (A.D. 950), who revived a notion of some of the Greeks, which gave a large motion of trepidation (as it has been called) to the ecliptic. The second was by Nassireddin (died A.D. 1276) an astronomer of note, and for a long time the sole authority for Asiatic longitudes and latitudes among the Westerns. The Mahometans returned Euclid into Christian hands again, in the following manner. Athelard, or Adelard, a Benedictine of Bath, who travelled all over Europe and the East for his improvement, brought back with him Euclid, and probably other translations from the Greek. His epoch is well settled, since Bale describes him, as stating himself (in one of his treatises) to have been living in the year 1130. He is mentioned as a man of very extensive knowledge, and a devoted follower of Aristotle (a writer only then beginning to be generally read). He translated Euclid into Latin; and his version, instead of having lain manuscript to this day, as was once supposed, has been sufficiently shown to have been that which was first printed, and which kept its ground until the introduction of the Greek text. The first printed edition appeared in 1482; it was printed by Ratdolt of Venice, who informs us that the difficulty of printing diagrams was then overcome for the first time: and it bears the name of Campanus, but in an equivocal manner: at the end it is stated that the work of Euclid of Megara,* and the comment of Campanus, are finished. This Campanus is known to be the author of an almanac for the year 1200, though some have placed him later, and some earlier.

* A very common mistake of the time.

It was at one time supposed that the translation of Euclid was first made from that of Nassireddin, and, probably on such a supposition, that work was printed in Arabic at Rome in 1594. But a comparison of dates will show this to be impossible, be it either Campanus or Adelard who made it. Nassireddin was certainly in the prime of life when he accompanied the Tartar chief Hulaku, the grandson of Jenghis Khan, in the invasion of Persia, his native country (some said the renegade was the adviser of the expedition). This was about A.D. 1260, and his translation was most probably subsequent to his settlement as the chief astronomer of the conqueror. It may be, then, that the translation of Honein, or Thabet, by whichever name it is to be called, is the one which was used: there is, it is stated, a manuscript of this translation in the Bodleian Library, from which the question might be settled. M. Peyrard procured a proposition out of the printed Nassireddin to be translated, and found no very close agreement between it and the corresponding proposition of Adelard: besides, the Arabic work is a translation with a commentary, the Latin one a translation with a different commentary. There is, however, yet something to be said. According to D'Herbelot, Othman of Damascus, a writer whom he places between Thabet Ben Corrah and Nassireddin, without giving any more precise date, saw a Greek manuscript of Euclid at Rome, and found it to contain much more (forty diagrams more) than the Arabic versions to which he had been accustomed, which only contained one hundred and ninety diagrams.* He accordingly made a new translation, and as D'Herbelot does not mention Nassireddin at all as a translator, but only as a commentator, we are left to infer that in all probability Adelard obtained either the translation of Othman or some one based upon it, and that Nassireddin was but an arranger and commentator of the same.

The translation and commentary of Adelard (called that of Campanus) was printed in 1482, 1491, and again by the celebrated Lucas Pacioli, with additional comments, in 1509. As yet there was no news of any Greek text, until 1505, when Bartholomew Zamberti, of Venice, published a new

* So says D'Herbelot, but there must be some numerical confusion; for 190 diagrams would be the first six books, or thereabouts, and forty diagrams more would not serve for all the other books. The Easterns furnished Adelard with 497 propositions, being the thirteen books of Euclid, and the two additional books of Hypsicles. The Greek of all this contains only 485 propositions; and there are 18 wanting, and 30 redundant, in the Arabic.

Latin version from the Greek; containing the elements, data, and other writings, in Latin, with critical notes. The elements out of this edition, the notes excepted, were reprinted by Henry Stephens, at Paris, in 1516, together with the Latin of Adelard: so that five folio editions of Euclid were published within little more than half a century after the invention of printing. This text of Zamberti shows what root the notion of Theon's editorship had taken. The proposition is always headed "Euclid," the demonstration "Theon:" and in the edition of 1516, Euclid is again the author of the proposition; the demonstration from the Greek is called Theon's *commentary*, and that from the Arabic Campanus's *commentary*: while in the two last books, the demonstration is Hypsicles' *commentary*.

We now come to the Greek text, and may here explain our particular object in writing this article. The Greek text of Peyrard, in three volumes quarto, which will presently be more particularly described, has been hitherto a scarce book in England, and even in France it seems to have gone out of notice. A little time ago, however, we were surprised by procuring a very new-looking copy, and by finding that it could be got both in England and France. We have no great difficulty in explaining this: there is a tide in the affairs of books, which taken at the flood, leads on to the second-hand shops, and empties the publisher's warehouse. But if the book be too heavy for this tide to float it, and yet too valuable to come in a short time to wrap up figs and sugar, it remains in the publisher's hands, and is called *stock*; not that it pays any interest, but because it stands stock-still. When once a book is well abroad in the world, and comes to be known of the second-hand booksellers, the true preservers of books, it never goes out again; but a book may remain publisher's stock for many a year, as we very well know. Dodson's *Mathematical Repository*, published in 1743, was let out of somebody's stock a few years ago, and, all of a sudden, the second-hand shops all had copies, *uncut*. Barlow's tables remained in the publisher's stock long after the second-hand booksellers had begun to mark it "scarce": Sir J. Herschel's edition of Spence's writings was snug in Edinburgh for twenty years, while the second-hand booksellers wondered they had never seen a copy, and almost considered it a supposititious publication: the translation of Nassireddin, already noticed as published in 1594, was, according to Brunet, in stock at Florence in 1810. When, therefore, we saw Peyrard, as

good as new, uncut, and with a paper cover as fresh as if Bachelier had just announced it, we knew that the chain was broken somewhere, and that it would begin to make its appearance like a new work: we did not remember having seen it reviewed, and we considered that the subject would possess interest in a country which has, more than any other, adhered to Euclid.

The first Greek text (containing the Elements in fifteen books, and the Commentary of Proclus) was published at Basle, in 1533, by Hervagius, under the editorship of Simon Gryncæus, dedicated to Cuthbert Tonstall, bishop of Winchester and London, well known to mathematical antiquaries for his treatise *De arte supputandi*, and to theological historians for his resistance to Henry's divorce. Two manuscripts were employed, furnished by private friends, and one of Proclus, which was procured from Oxford. Various editions followed, which it is unnecessary to cite, because they were all taken, as to text, from the Basle edition. It may be necessary, however, to remind the reader that in this century there was a fashion of publishing Greek mathematicians with the enunciations only in Greek and Latin, and all the rest in Latin: a practice, no doubt, arising out of the notion already alluded to, that nothing but the enunciation was Euclid's. But it was imitated in editing other writers, Archimedes for instance: and a Greek and Latin title-page made bibliographers (those men of title-pages) slip down "Gr. Lat." in their lists. In this way it would cost nothing but an overhauling of catalogues to furnish out a dozen Greek Euclids of the sixteenth century; particularly if we followed the catalogists in another of their errors. Our readers ought to know, or, not knowing, ought now to laugh at, the story of the *nouveau riche* who would be learned, and bought books in large numbers, but after a time wrote to his bookseller complaining that if he must have nothing but Operas, he would rather they were not all written by Tom. A great many titles, as they stand in catalogues, are really Tom's Operas: there are So-and-so's Works, containing &c. &c. (one or two of them); the catalogue maker has down Mr. So-and-so in a moment for a complete edition, looks at the bottom of the page, writes down a place and date (a wrong one, maybe) and passes on.

The next original Greek text was that published at Oxford in 1703, containing all the works of Euclid, certain or reputed, and edited by David Gregory, then Savilian professor.

The University of Oxford has the honour of having published the best editions of the three great geometers, Euclid, Apollonius, and Archimedes. In mentioning the first it may be worth while to give a slight account of all. The design of printing Greek mathematics on a large scale originated with Dr. Edward Bernard (died 1697), who preferred the Savilian chair to preferment in the Church, that he might organize a large system of recovering and combining mathematical antiquities. Henry Savile himself, the founder of the chair, was a diligent collector and collator of manuscripts, and possessed several of Euclid, which he bequeathed to the university. And he did not abandon his chair to its first professor, until he had filled it himself time enough to deliver thirteen lectures on the foundation of Euclid's elements, which were published the following year, in 1621. Dr. Bernard did not complete any of his design, but only left behind him a synopsis of it, describing the contents of fourteen intended bulky volumes; to wit: 1. Euclid; 2. Apollonius; 3. Archimedes; 4. Pappus and Hero; 5. Athenæus; 6. Diophantus; 7. Theodosius, Autolycus, Menelaus, Aristarchus, Hypsicles; 8-14. Ptolemy. *Quantus Scriptor!* he adds, and well he may. These volumes were to contain commentaries, selections from the moderns, &c. It is singular enough that the three first volumes (the commentaries, &c. excepted) have been published, and that in the order proposed by Bernard. And now we are to ask, when is the Oxford edition of Pappus and Hero to appear? There is no writer who more requires the publication of an edition than Pappus; and as the Archimedes was executed by a foreigner, and published by the university, we shall be curious to see which takes place first; the preparation of a good edition by an Oxonian, or the presentation of one from abroad. It can hardly be doubted that, if it were worthily done, Oxford would feel it an hereditary duty to defray the publication. "*Neque gravata est Acad. Oxon. in patrocinium suum recipere quod Euclidi et Apollonio suo velut cognationis jure tertium Opus accederet,*" says Robertson in the preface to the Archimedes.

David Gregory, the successor of Dr. Bernard, used in his edition (folio, Greek and Latin, with hardly any notes or various readings) the manuscripts which Savile had left, "*in hunc ipsissimum usum,*" his notes on the Basle edition, &c.; and those of Dr. Bernard. A very careful collation was made by Dr. Hudson, the Bodleian librarian. The best testimony to this edition is the smallness of the number of what Peyrard

calls its "mendæ crassissimæ," one hundred and fifty-one in the whole of fifteen books of the Elements. The French editor had some reason (as we shall see) to feel a little galled; and the feeling must have been strong when he paraded under such a title (we take some consecutive ones from the commencement) that Gregory had let pass ἀνίσας for ἀνισας; ΓΗΘ for ὁ ΓΗΘ; τῷ ἐλάσσονι τὸ μείζον for τὸ ἐλάσσον τῷ μείζονι; τῶν for τῆς; τοῦ for τοῦ ἀπὸ τοῦ; τῆς for τοῦ; ἡ for τοῦ; &c. We shall by and by examine M. Peyrard himself on such points.

The edition of Apollonius appeared in 1710, under the care of Halley, the successor of David Gregory; and even Peyrard would be obliged to admit it to be the best printed Greek text, for it is the only one: but it would not be easy to edit another with more care and success. The Archimedes was not published till 1792. Joseph Torelli of Verona had prepared every thing for press with great care, and the University of Oxford, through Earl Stanhope, had negotiated for being allowed to print it. Torelli refused, during his life, to let the superintendence pass out of his own hands; but he having died, his executors saw no other way of procuring publication than by renewing the old negotiation, which succeeded.

M. Peyrard was a scholar, and an admirer of Euclid, who published in 1804 a French translation of the first four, the sixth, eleventh, and twelfth books of the elements, *leaving out the fifth book!* and a translation of Archimedes (a very good one) in 1808. He undertook to publish the complete text of Euclid, Archimedes, and Apollonius; and, beginning with the former, proceeded to examine the manuscripts of the elements, which are in the Royal Library at Paris, 23 in number. He soon found one, marked No. 190, which appeared more complete in some parts, and less redundant in others, than any of the rest. It also had much the advantage in antiquity, having all the characters of manuscripts at the end of the ninth century. This manuscript had lain in the Vatican Library long enough, said the French, who paid a visit to Rome some time or other in the last century, and found plenty of things which they thought the Pope could do without. Monge, who has so many better titles to fame, was searching the city with the eye of a hawk and the nose of a greyhound for spoil, and found out the manuscript in question, which, with others, was sent to Paris. We know how Peyrard styles such a transaction both in Latin and French (his preface is in both languages): "il fut envoyé

de Rome à Paris." "à Româ Lutetiam fuit missus." This is very bad scholarship; *missus* in Latin never bore the sense in which the French then used the word *envoyé*. When the time came for restitution, permission was obtained for this manuscript to remain in the hands of Peyrard until his edition was completed, one volume only having then been published (in 1814). Two more followed in 1816 and 1818, and here the work closes; having been originally intended to include all the writings of Euclid. It contains the thirteen undoubted books of the Elements; the two of Hypsicles; and the Data: the first and third of which M. Peyrard considers as the only writings of Euclid, without giving any reasons for the rejection of the others. This is a convenient plan enough, but one which tends to destroy confidence in the follower of it. To take issue on a single point;—Pappus, in the commencement of his sixth book, refers to the second proposition of Euclid's *Phænomena*: on looking into the book of *Phænomena* which has come down to us under the name of Euclid, we find the second proposition of that book to contain the matter of Pappus's reference. Now the latter has always been considered as very good authority on the mathematical writings of the ancients: we do not say M. Peyrard was bound to follow him; but, if only out of decent respect to the whole of the learned world, and to avoid being thought to have practised a mere evasion, he ought to have favoured his readers with some reason for rejecting such testimony as that of Pappus. M. Peyrard has added the various readings of the Oxford edition, and of the twenty-two manuscripts which lawfully belonged to the Royal Library at Paris: having himself generally followed the one marked No. 190, which, as above explained, was "sent" to Paris. Before we enter further on this work, we mention one more new text which has appeared since that of Peyrard.

This is an unassuming octavo volume published at Berlin in 1826, by Ernest Ferdinand August. It contains the Greek text of the thirteen books of the Elements (without Latin), some historical notes, various readings, mostly from Proclus, Peyrard, and Gregory, with some from three manuscripts belonging to the Library at Munich. It appears to us to be very judiciously done, and very correctly printed, as to the Greek. Not but that we entered upon it with a little bias against the author, when we saw in the first page of the preface that Tonstall was printed Constall, and in the second, that Bart. Zamberti of Venice, and Candalla, two very distinct

persons, were represented as Bartholomeus Venetus, and Zambertus Candalla. Such things, however, seem exceptions.

Thus on the whole it appears that the present text of the *Elements* of Euclid depends upon about thirty-five manuscripts, few of them however containing the whole; the results of which are presented in the four editions of Basle, Oxford, Paris, and Berlin.

The particular point which most strikes a reader of Peyrard, is his preference for the Vatican manuscript, and his contempt for the editions of Basle and Oxford. We do not wish to be considered as thinking lightly of the French editor, to whom, as admirers of Euclid, we feel under singular obligations. Every scholar will admit that, by the description given of the Vatican manuscript, it was most desirable that an edition should be founded upon it, and that there ought to be a decided partisan of the said manuscript to do it. All the various readings are given in such a manner that the reader has before him the Vatican manuscript, the Oxford edition, or a compost of the twenty-two manuscripts of the Royal Library, whichever he pleases. But, while acknowledging freely the real and substantial addition which Peyrard has made to our knowledge of Euclid, we are compelled to say, that he gives no testimony of that scholarship which would make his individual opinion valuable, nor of that care which would give him a right to speak as he has done of his predecessors. We are afraid, moreover, that the animosity which his countrymen naturally felt towards England in 1812-1818, has coloured his views materially. In an ephemeral production, we should not have thought it worth while to notice such a *misère*: but, having before us the very careful edition of Gregory in 1703, and finding by subtraction that from 1703 to 1816, it is one hundred and thirteen years, we look forward to A.D. 1929, and picture to ourselves the smile with which any critic of that day, French or English, will, after wondering what could make Peyrard undervalue an edition so much more correct than his own, suddenly recollect that the battle of Waterloo was fought in 1815.

The French, for the last half century, have not been conspicuous cultivators of Greek; and it was notorious that of all the *savans* of the Bonapartean era, no one but Delambre was tolerably well versed in that language. There was hardly such a thing as a school of classical criticism in the country: and this being taken into account, the merit of Peyrard is much enhanced by the very circumstances which prevented

his book from being what it would have been, if he had been a German. As soon as the first volume of the translation was finished and printed, it was referred by the Minister of the Interior to the two classes of the Institute, that of literature, and that of mathematics. The latter class appointed a commission, consisting of Delambre and Prony,—that is of Delambre, for Prony was not, we believe, a scholar. But if Peyrard himself had dictated the report (and we shall cite something curious on this point presently) he could not have had his ideas more completely adopted. The Oxford edition is the mere copy of that of Basle, though *it passes* for the best of all—M. Peyrard is a judicious editor,—the misprints, inevitable in a work of this nature, are much fewer than those of the Oxford edition of Archimedes—the work fulfils *all* the conditions that could be exacted—and the edition is evidently superior to all the rest. On the first point, namely, that the Oxford edition is a servile copy of that of Basle, Peyrard had forgotten to give his counsel proper instructions. Had he read* the preface of Gregory, he would have known better. But the information that errors are fewer than in the Oxford Archimedes, is a curious little bit of information, and contains some generalship. Why did they not say fewer than the Oxford *Euclid*, which would have been more to the purpose; especially since Peyrard had signalized this as the incorrect Basle edition with new faults of its own? Why, simply because the *reporters themselves* had detected in the seven first books—about the third part of the whole—more than two-thirds as many misprints as Peyrard's research had detected in all the fifteen books of Gregory. It was much safer, therefore, to bring in the Archimedes, which they took on Peyrard's word to be full of faults (*fourmille de fautes*); though they did not see what a very modified compliment they thus paid. Peyrard's faults are worse than the *menda crassissimæ* of the Oxford edition; Gregory's eye, though it sometimes passed one Greek word for another, never let slip one that was not Greek: Peyrard let go *σκέις* for *σκέις*; *τριῶσι* for *ποιῶσι*; *μεγέθς* for *μεγέθς*; *πρῶτος* for *πρῶτος*; *ἐπαράρηται* for *ἐπαπρηται*. And yet the sheets were first read by himself, then by M. Jannet, then by M. Patris, and then by

* He read one part, at least, very incorrectly. He tells us that Gregory admits that all the writings, except the elements and data, are very evidently not Euclid's. Gregory admits no such thing; of some he properly doubts; of some he expresses no doubt.

himself again; and no one was sent to press until every error had been corrected, or, as the printers say, a perfectly clean revise was always sent back. Besides this, M. Nicolopoulo, of Smyrna, read a large number of the proofs. All this reading rather surprised us; and it also puzzled us to understand how Delambre and Prony came to examine so minutely as to detect a misplaced accent, or a wrong aspirate. Did Peyrard furnish them with a list of his own, to make their report look more minute? We should not breathe such a suspicion, if it were not for a curious circumstance which we will now explain.

Peyrard sometimes forgets that he is editing Euclid of Alexandria, and shows some disposition to restore Euclid of Utopia. In all manuscripts, the seventh of the first book has only one case, that in which the vertex of one triangle falls *inside* the other not being considered. Of course all commentators have supplied the deficiency; Grynæus and Gregory let Euclid stand. The case is plain enough; *aliquando bonus dormitat geometriæ Homerus*, and Euclid took the case of the vertex of one triangle falling within the other as obviously impossible. Peyrard thought that he could make one demonstration do for both cases, by drawing the second figure, and adding a few words: this he informs us in his preface he has done, and Delambre and Prony assure us in their report that he has drawn the new figure, and added a line, which they tell us is *entre deux crochets*. Looking to the various readings at the end, in which Peyrard puts his own text in one column, and that of the Oxford and the manuscripts in two others, we find that, at the reference 3, the words καὶ αἱ ΒΓ, ΒΔ ἐκβεβλήσθωσαν ἐκ' εὐθείας ἐκ' [sic] τὰ ΕΖ are part of the text; on which Peyrard remarks, *Desunt in omnibus codicibus et in omnibus editionibus*. Well then, we turn to the text; we find no such words in the whole proposition, we find no second figure added, and, to three words or so, everything as in the Oxford! Grant for a moment that the reporters looked at the various readings instead of the text, as would have been their best plan in the first instance, where did they find the crochets? They were evidently examining a printed work, for they detected misprints; where were the crochets? Perhaps such things would not remain in the text, but flew off, by the laws of attraction, into the heads of the examiners, carrying with them the intercepted words. And if they got their information from the various readings, how came they to overlook ἐκ' τὰ for ἐκ' τὰ, they

who made eighteen corrections, by their own account, in these very various readings. Or was this the state of the case; did Peyrard furnish them with the materials of the report, and a list of errata to look business-like, telling them what he meant to do with the seventh proposition, and did do in the list of various readings, but forgot to do in the text? We regret very much being forced upon this supposition, but we ask any candid reader how it is to be avoided?

The class of literature evaded the question of the minister, in a short letter from their secretary, in which they administer what may be called a rap on the knuckles to the worthy, but too self-sufficient, editor. After referring to the report of the other class, with which the subject had most to do, they observe that the text seems (*lui a paru*) more correct in the new edition—but that the Basle edition (no mention of the Oxford one, February 26, 1814) though containing some misprints, not so many as is commonly thought, and easily corrected, will always be precious to the lovers of Greek literature—that the new edition was carefully done, but that some errors had crept in, particularly towards the end of the volume.

The Berlin editor, E. F. August, has insinuated his opinion in the following manner. After describing the Oxford preface, he adds, “Atque revera tanta cura hæc editio instituta est, ut digna esset, qua per totum seculum matheseos studiosi nec Græci sermonis inperiti uterentur.” After a similar description of Peyrard’s preface, with a preliminary compliment to his labour and industry, he says—not one word. In the fifth proposition of the sixth book (the only one which he thus treats) August has pointed out five misprints, no one of which is in the Oxford edition. We ourselves sat down with the determination to read till we came to an erratum not noticed in the list: we took the first proposition of the fifth book, and at the eighteenth word of the demonstration we found our mark; *πολλαπλάσιον* for *πολλαπλάσια*, the Latin is *multiplies*. We feel then, from all these things, that Peyrard’s Euclid is by far the most incorrectly printed edition which exists. For ordinary mathematical students, we should decidedly recommend the Berlin edition, which is more easily obtained than the Oxford, of which it possesses the merit, without the inaccuracies of the Paris edition. It also gives the principal points of the Vatican manuscript. At the same time, the critical scholar will feel that he is not in possession of Euclid unless he have by him the edition of Peyrard, for the sake of the manuscript just mentioned, the

twenty-two others, and their comparison with the Oxford edition. And though Peyrard was not what he imagined himself to be, yet from that to absolute insignificance is a *longum intervallum*, of which a little indulgence, no more than due to his intentions and industry, may put him at the point of bisection.

From the Latin and the Greek we may pass to the English. The first English dream of geometry was the *Pathway to Knowledge*, by Robert Recorde, published in 1551, containing no system of demonstration, but "one book of conclusions geometricall," and "one book of theorems geometricall." The first contains the problems of the first four books of Euclid constructed; the second the theorems in the same books described without demonstration. This is done after the example of Rheticus, and "that wittie clarke" Boethius. Euclid is mentioned once, in a manner which shows that Recorde considers all demonstration to be the work of "Theon and others that write on Euclide:" the old story again. This work of Recorde is as much an edition of four books of Euclid as some others that went by that name in his day. But nothing that can properly be called by the name of Euclid was published until 1570, in which year Sir Henry Billingsley (who Dee tells us was the translator) published an edition containing the whole of the fifteen books, with all manner of commentaries, and an additional book on solids by Flussas; together with a long preface and notes by John Dee. Had it not been for Dee himself, in the catalogue which he subsequently published (in his epistle to the archbishop of Canterbury), it would never have been known that the worshipful Sir Henry Billingsley was the translator: and considering that the plan, preface, and notes are Dee's, and that the worshipful knight is altogether unknown, it must be presumed that he worked under Dee's advice and direction. The name of Billingsley does not occur either in the first edition or the second and last (1671); and we have always had a firm persuasion, that the knight was either Dee's pupil, working under his directions in the mechanical translation, or his patron, who had bought the credit of the edition. We shall not speak here of Scarburgh, Barrow, Cotes, Simson, Horsley, &c., except in general comments where occasion arises: we shall merely add, on this branch of the subject, that the Clarendon press, besides the best Greek version, has also produced the most English Euclid, in the most Euclidean English; we speak of the translation of the thirteen books,

by James Williamson, Oxford, 1781, in 2 vols. 4to. The translation is here as literal as any authorized version of the Bible; and, in like manner, the additional words of English necessary to complete the sense are inserted in italics.

As to the editors who amend to their fancy, and then say, this must be what Euclid wrote, we have of course nothing to do with them, writing as we now are upon evidence and evidence only, and being exceedingly dubious of *the fact* that Euclid, any more than Thucydides, wrote otherwise than as it is set down that he wrote in the remaining manuscripts. If these be corrupt let them be restored, if possible, by context, by comparison, or by good conjecture within the most approved canons of criticism. If, after all, the Alexandrian Greek will not do to teach geometry by (which is quite another question) let him be amended or abandoned, but let not such amendments be called Euclid. Robert Simson producing that which he thinks best, in the way of addition, alteration, or comment, is not only bearable, but admirable; Robert Simson declaring that whatever he thought Euclid should have written, must be that which Euclid did write, is a false critic, and a teacher of falsehood, though of course not intentionally; Robert Simson declaring that he had discovered, by reflection, words and sentences of Euclid which had been buried in oblivion for ages, was not one whit less absurd than the discoverers of hidden treasures by the divining rod: and those who printed Robert Simson's notes in school Euclids, were guilty of great inconsistency, unless they could excuse themselves by saying they intended to destroy any notions of sound criticism which a youth might acquire from the notes to his classical authors, by the perusal of those attached to his mathematical guide.

It is much to be regretted that the solid initiation which Euclid enables the student to obtain, is beginning to be abandoned; and if there be one thing more than another which the friends of liberal education should bestir themselves upon, it is the defence of this unequalled system. "Lagrange," says Peyrard, "often repeated to me that geometry was a dead language; and that he who did not study geometry in *Euclid*, did exactly like one who learnt Greek and Latin by reading modern works written in those languages." We may trace the consequences of the abandonment of Euclid in the general state of elementary writing in every country in which it has been abandoned. Algebra, left to the habits which it forms without geometry, always grows lax in its reasonings; and those who

have lost Euclid, have always formed a less rigorous system. If we could find any tendency to deny these assertions, we might argue the grounds on which such denial was made: but no one pretends to show the substitute for Euclid; no one professes that algebra* is everywhere of equal rigour. Some desire mathematics only as an instrument in the investigations of physics: let them have their approximative system, by all means; but we are now speaking to those who think of the formation of the mind to the utmost exactness of which it is capable, and who see clearly that it has pleased God that the higher and finer parts of civilization should be much advanced by the cultivation of critical accuracy in all things in which it is attainable. To be brought by degrees to the keenest perception of truth and falsehood, is the highest intellectual hope of man. Now in this process there is, so far as mathematics are concerned, no commencement like Euclid; a writer who seized realities, separated the necessary characters from all that was artificial or conventional, and took the ground on which the beginner could appreciate what he was doing, in a manner which never was equalled, and probably never will be. When we look at his rude, but certain, mode of exhibiting to the young mind, not yet prepared for the nicest distinctions, the raw material of its own conceptions, and using it in a manner which obtains such an instantaneous and intuitive assent as never could be given before to anything in which there was progression from one idea to another, we think we see that mind first feeling its own feet, and learning the possibility of walking alone. Its faint and tottering steps may indeed need the strong support of which it is conscious, but there is a hardness in the ground, and a success in each successive step, which gives an increasing confidence in the future. Many and many a student, mystified by algebra, as taught in its principles—amused to contempt by a science of which (to him) the subject-matter is all conundrum about apple-women, who tell each other how many apples they have got in language which needs an equation; and men who buy flocks of sheep at prices which can only be told by completion of a square and extraction of a root—many such students, we say, have only their Euclid to give them any idea of what

* It may be hoped that algebra will be thoroughly rigorized by the views which have lately been promulgated; but the time may be distant at which these views can be made the elementary foundation of the subject; and even then, it may be found that its abstract nature requires a strength of mind previously drawn from geometry.

real science is: that is, at the commencement of their career. They may afterwards find algebra to be what could not have been guessed from equation books; but were it not for what they see from the beginning in geometry, they would have no encouragement to hope for either light or knowledge, from the first year's study.

Independently of the positive superiority of Euclid, there is a strong reason for retaining his system, drawn from the frailty of humanity. There is no reasonable prospect of retaining sound demonstration if Euclid be now abandoned; for it is evident that such abandonment as has been made, has arisen from a disposition to like easy laxness better than difficult rigour. We will not speculate upon what *might* be substituted for the Elements, when we have reason to know what *would* be substituted: the former question may be adjourned until the advocates of change show themselves to be really actuated by a love, not of scientific results, but of scientific truth. As long as Euclid is in request, be it only by a minority, the majority are ashamed of more than a certain amount of departure from soundness: but the direction of that departure shows clearly enough what would take place, if, instead of merely retiring into the darker places, the *algebraists* were allowed to put out the light altogether. There is not a better work, next after Euclid, than the Geometry of Legendre; which, when the dangerous elements are past, has an elegance unknown in Euclid himself. But, considered as an exposition of geometrical principles, it is hardly worth a passing notice: the first books are a mixture of arithmetic and geometry, in which the province of the two sciences is confounded, or they are made, in all points of real difficulty, to darken each other; while Euclid, by keeping them distinct till the proper time, has made each help the other. In Legendre, the horse and foot are in alternate ranks, instead of separate regiments; and one part of the service is always either cramping the movements of the other, or getting tripped up by it. When the two *arms* are likely to quarrel, a general order comes from head-quarters in the shape of a *supposition*, or an *imagination*: "par exemple, si A, B, C, D, sont des lignes, on peut *imaginer* qu'une de ces quatre lignes, ou une cinquième, si l'on veut, *soit* à toutes de commune mesure." (Book III., note on the definitions.) How nice! Legendre knew as well as any body that there are abundance of cases in which lines *have* no common measure: then, says he, you must *imagine* a line

which *serves* as a common measure to them all, a sort of acting common measure, which does the duties, and receives the pay and appointments, under a commission signed by the imagination. Euclid, stupid Euclid, had no imagination. The stark staring nonsense which we have quoted, and which can only be treated with ridicule, is but a sample of what we may expect, if we abandon what we have, before we have received something better. Lacroix, to whom elementary writing, in everything but geometry, is more indebted than to any other man living, does not proceed quite so absurdly; but he only escapes at the expense of declaring geometry to be an approximate science. He proves that a common measure may be found with an error *imperceptible to the senses*, and on such a common measure he founds his geometry. Let such ideas take clear possession of the field, and we should soon come to this—that algebra would be held perfectly sufficient, and that all which is necessary at the outset might be proved by a ruler and compasses, or by an imagination, according to the taste of the learner; nay, even an act of parliament would perhaps be thought sufficient.

The senate of the University of London (not what *was* the University of London, now University College, but the body which was chartered in 1837) in the announcement of the qualifications required from candidates for the degree of B.A., specifies the following amount of knowledge in geometry: the first book of Euclid—the principal properties of triangles, squares, and parallelograms, treated geometrically—the principal properties of the circle, treated geometrically—the relations of similar figures—the eleventh book of Euclid to Prop. 21. We do not think this attempt to abandon Euclid a particularly happy one. The first article seems to be a concession to true geometry, by way of compliment to the vigorous growth which it has heretofore gained in our country. The second might be mended in two ways; squares and parallelograms looks like Londoners and Englishmen, or cats and animals, while *treated geometrically* is a puzzle. Does it mean that a young student, who must learn the first book of Euclid, is at liberty to deduce the properties of squares *and* parallelograms which he does not find there, in any way which he pleases, from any other system? The same question may be asked of what are called the principal properties of the circle; and if the answer be in the affirmative, we cannot but wish the new University would have taken a page out of the book of the old ones; while if it be in the negative, we may

well ask, why it was not simply required that the candidates should have studied the first *four* books of Euclid? Next come the relations of similar figures, no doctrine of proportion being mentioned except what in a preceding part of the same list is called *algebraical* proportion. Here again a doubt arises, as to what is to be learnt: will it do if a student come with Legendre's acting common measure, or Lacroix's tiny errors *qui échappent aux sens par leur petitesse*? These are questions which many of the well-educated portion of the community will ask themselves before they make up their minds to think the B.A. degree of the London University a worthy object of ambition for their sons: these are questions which the enemies of the liberal cause will answer their own way in their own minds: they will turn to the ancient institutions, which, whatever may have been their faults and their prejudices, have kept the ark of liberal knowledge among us through centuries upon centuries, and will say with a smile, and what is worse, will be justified by the event, that the London University will be a mother of learning when Oxford and Cambridge are defunct—but not till then. Hoping for a better result, we trust that the day is not distant when *methods* will appear of more importance than *mere matters of conclusion* to those who guide the new institution: a very few years will point out the working of the present chequered scheme.

We shall now turn our attention to one point of the text of Euclid on which lawless alteration has been perpetrated, in what are called the *axioms*. Euclid distinguishes three preliminaries to geometrical discussion: *definitions*, in which he is not metaphysically anxious to satisfy any canon of definition, but only to be very sure that his learner shall understand of what things his words speak; * *postulates* (*αἰτήματα*), demands upon the sense of the reader, without which he professes to be unable to proceed to reason on the properties of space; *κοινὰ ἔννοια*, common notions, matters of intuitive assent, which are either common to all men, or common to all sciences (most probably the former; if the latter, the question about to be discussed need not be entered upon), which must be granted, because it is matter of experience that all men do grant them, even those who never heard of geometry. The

* All the objections made to Euclid's definitions, distinctly show that the objectors knew what Euclid meant: that is, that so far as they were concerned the definitions were good.

postulates are six in number (we translate literally from Euclid): 1. Let it be demanded from every point to every point to draw a straight line. 2. And to produce a terminated straight line continually in a straight line. 3. And with every centre and distance [from that centre] to draw a circle. 4. And that all right angles are equal to one another. 5. And that if a straight line falling on two straight lines make the angles within and towards the same parts less than two right angles, those two straight lines produced indefinitely will meet towards those parts at which are the angles less than two right angles. 6. And that two straight lines cannot enclose a space.

The common notions or opinions are: 1. Things equal to the same are equal to one another. 2. And if two equals be added the wholes are equal. 4. And if from equals equals be taken away, the remainders are equal. 4. And if to unequals equals be added, the wholes are unequal. 5. And if from unequals equals be taken away, the remainders are unequal. 6. And the doubles of the same are equal to one another. 7. And the halves of the same are equal to one another. 8. And things which fit one another are equal to one another. 9. And the whole is greater than the part.

The distinction drawn by Euclid, between that which the learner is now to grant, and the recapitulation of that which he always has granted, is clear and natural enough. Archimedes (in the sphere and cylinder) introduces, for the first time in geometry that we can find, the word *axioms* (*ἀξιώματα*), things thought worthy (of something): the worthiness is worthiness to precede discussion, for the axioms of Archimedes are only definitions, pure verbal definitions, with mere statements preliminary to definition. Torelli translates the word *pronuntiata*, and Eutocius in his commentary fairly calls them definitions; his own *postulates* Archimedes calls *λαμβανόμενα*, things taken. Geminus, according to Proclus, taking the distinction of theorem and problem, which was established by his time, though Euclid knew nothing about it (for *πρότασις*, proposition, is all the heading that Euclid gives), chose to fancy that a postulate and a common notion should become a postulate and an axiom; and that the postulate should be of the nature of a problem, something to be done; and an axiom of the nature of a theorem, something to be proved or made evident. Proclus wants to give into this idea, but had not enough of Robert Simson in him to alter his manuscript, in which five postulates existed, the sixth (two right lines can-

not inclose a space) having been removed among the common notions by the writer. And thus Euclid rested, all (including the celebrated Vatican MSS.), except two, of the manuscripts of Peyrard;* some (he does not say how many) of those of Gregory; the Greek from which Zamberti took his Latin; the printed Arabic; the translation of Adelard from the Arabic; the summary of Boethius, who suppresses the last postulate entirely; the newly-examined manuscripts of August;—place the fourth and fifth postulate as in the list given above, and many the sixth also. But Gryneus, for it cannot be traced higher, in the Basle edition, carried the views of Geminus into complete operation, and put the fourth and fifth postulates (as they were called) among *common notions*! We do not know how far he was followed before the time of Gregory, not having thought it necessary to look over any more texts for the purpose of this article than those which give new readings; one only we have before us, the anonymous Greek of 1620, attributed to the celebrated Briggs, (Ward, p. 127) which follows Proclus, and gives five postulates. Gregory, who followed the Basle edition somewhat too often, coincided with Gryneus, against the practice of his predecessor Savile, who rather approved the notion of Geminus, but still allowed five postulates to remain. The texts of Peyrard and August have restored Euclid's six postulates, which seems to us common sense. Distinguish postulates into demanded problems and demanded theorems, if any one pleases, but in the name of arrangement, how can the celebrated demand in the theory of parallels rank under the same head as that "things which are equal to the same are equal to one another." The misplacement of this axiom about parallels has cost many a trial at this old difficulty, and procured Euclid all manner of reproaches which he did not deserve. He has been made to say, "I give you this common notion as a most self-evident theorem;" whereas he only said, "whether this be easy to you or not, I can't proceed till you grant it." And let it be observed, that none of the opponents of Euclid's text cast a thought upon the absence of "axioms," and the use of "common notions." The word axiom had got into their heads: thus Barrow, after a long and cloudy lecture about principles,

* In nine manuscripts (the Vatican included) the fourth and fifth are postulates; in none, common notions. In four manuscripts (the Vatican included) the sixth is a postulate; in seven, a common notion.

axioms, &c. with a full consideration of Aristotle, Proclus, &c. decides that Euclid was inaccurate (hinting at the same time a doubt of the correctness of the text) when he made a simple demand, and called it a demand.

Such is a specimen of the manner in which the text of Euclid has been handled, and it will make many persons doubt whether they have ever read that writer, with whom till now they have supposed themselves well acquainted. We can assure them, however, that Robert Simson is, *when* he translates, as good a translator as he might have been a critic, if he had not had that unfortunate dream about Theon which we have related. He, or any editor, might judiciously have practised something like condensation after the first book; for from first to last, Euclid fights every step of the way as if he were arguing with an opponent who would never see one iota more than he was obliged to do. And in all probability this was actually the case. Watch Proclus's account narrowly, and it will appear most probable that this work of Euclid ushered connected demonstration into the world. We may think it very likely then that the prominent idea before Euclid's mind was, not "this proposition can be demonstrated," but "there is such a thing as demonstration." To such a leading notion it would matter nothing what the definitions were, as long as they were well understood between the two parties; nor what the postulates were, as long as they were what no one of the time objected to. Neither would it matter that every postulate should be expressed, since, in the absence of any thing like previous guide, it would be natural to insist only on those preliminaries which had already been agitated in the previous attempts which we must imagine to have been made. It is only in some such way that we can give anything like a surmise at the reason why Euclid has really several more postulates than the six which he places at the beginning of his work. For example, that if of two bounded figures, one be partly inside and partly outside the other, the boundaries must somewhere intersect, is a very admissible postulate, but quite as necessary to be mentioned as that two straight lines cannot inclose a space. This is taken for granted without mention in the very first proposition. Again, that if two straight lines meet in a point, they will if produced cut in that point; that a straight line of which any one point is within a bounded figure, must, if produced indefinitely, cut that figure in two points; that if two points lying on opposite sides of a straight line be joined, the joining line must

cut the straight line; that two circles may coincide in one point only, one of them being entirely within, or entirely without, the other; and perhaps some others—are all tacitly assumed. As to common notions, we might instance “things which are unequal to one another cannot be equal to the same,” which is frequently used, and might be set down in a list which contains “the whole is greater than its part.” It is not easy to see any probable reason for Euclid’s preliminary selection, unless it be admitted as such, that he was writing on the point of demonstration generally, with reference to some particular opponents, whose requisitions he knew, or thought he knew.

All the earlier editions of Euclid announce him to be Euclid of Megara, who founded a sect of philosophers in that town. Diogenes Laertius, Suidas, and Aulus Gellius, give some account of Euclid of Megara, but not as a geometer: Proclus and Heron, who give an account of the geometer, do not mention Megara: Plutarch alone calls Euclid of Megara a geometer. It may therefore be concluded that the verdict of later times is correct; and that the philosopher of Megara is altogether a distinct person.

We must now conclude an article which the bibliographer may think too concise, and the general reader too long. What do people care about old books and old editions? Little enough we are obliged to admit,—as little, in fact, as they care about accurate history. But every now and then an historical article is bearable; and many persons may just feel that degree of interest in Euclid which will enable them to glance at an account of the writer about whom they doubted when they were boys, whether his name was that of a science or of a man. Let them doubt on this point still, as much as they please, on condition that there shall be no coalition of the two designations, no joining of the names. May all good powers protect us from ever hearing Euclid called a *man of science*! We once read of him in a French book as *ce savant distingué*, and must confess we did not feel in a concatenation accordingly. But to return to old books: there are about them indications of old times which may be worthy subjects of ridicule to the modern man, who will himself be looked at in a similar light when his time shall come; or rather when his time shall be past, and the time of others shall come. What will our speechifiers at public meetings say to one which was held on the eleventh of August, 1508, in the church of St. Bartholomew at Venice;—present, the Rev.

Lucas Pacioli,* of the order of minorite Franciscans, in the chair; the diplomatic ministers of France and Spain; various men of learning not otherwise distinguishable; seventeen ecclesiastical functionaries; ten doctors and professors; fifty-nine physicians, poets, printers, (including the celebrated Aldus), and gentlemen without title; besides citizens of Venice. The meeting being constituted, the reverend chairman proceeded to business, namely, the opening of his explanations of the fifth book of Euclid. His address (of which we regret we have not room for a full report) was with some few exceptions (among which we may number his statements of the necessity of the doctrines of proportion to a full understanding of those of religion) as much to the purpose as if it had been delivered immediately after dinner at the London Tavern, or at any period of the day at Exeter Hall: at least after making due allowance for his profession, which prevented him from speaking against the Catholics, and for his utter ignorance of Irish affairs. The effect of his explanation was to induce one of the ecclesiastics present to declare by letter to another, that the fifth book of Euclid excelled all the others as much as those others excelled the writings of other men. This we know, because, oddly enough, the account of this public meeting, with the names of the persons present, and the letter just alluded to annexed (dated March 12, 1509), is inserted bodily in the edition of Euclid published (or at least finished) by Fra Lucas himself, June 21, 1509. It sticks between the fourth and fifth books; and looking at the date of the letter and that of the completion of the work, it appears that two hundred and thirty folio pages of close black letter were composed, or at least revised, in less than half the number of days. Oh Lucas Pacioli! what would he have said if he could have known that his lectures would have been one day dragged from their obscurity to prove nothing but the rate at which printing went on in his day.

* This gentleman, under the name of Lucas di Borgo, is a personage in the history of algebra; but those who persist in calling him Di Borgo, might just as well call Hobbes by the appellation of "Hobbes of," leaving out "Malmesbury." Lucas Pacioli de burgo Sancti Sepulcri, is his proper title.

- ART. IV.—1. *A Report of the Fishery Case, Poole Gabbett, Esq. v. Thomas Clancy, and Thomas Dwyer, tried before Mr. Justice Ball, and a Special Jury at the Limerick Summer Assizes, 1841, and which occupied the Court for over five days.* By William O'Brien, Limerick.
2. *Report of the Select Committee on the Salmon Fisheries of the United Kingdom, 1824.*
3. *Second Report of the Select Committee on ditto, 1825.*
4. *Report from Select Committee on ditto, 1827.*
5. *Second Report of the Commissioners of Inquiry into the state of the Irish Fisheries, with the minutes of evidence presented to both Houses of Parliament, 1836.*
6. *A Treatise on the Game and Fishery Laws of Ireland.* By John Finlay, Esq. LL.D. Barrister-at-Law. Dublin, 1827.

TO an Irishman with strong national feelings, there cannot be a more painful subject than to pursue the contrast between what nature intended that his countrymen should be, and what they are. Their natural qualities and capabilities are the theme of eulogy with every writer,—yet they, themselves, are treated by that nation with which they come most in contact, as objects of ridicule, oppression, and pity. Their bravery is unquestioned;—but they have been for ages slaves; their industry unparalleled;—but they have been for ages paupers. Their coasts, rivers, and harbours, are the finest in the world;—but they are without commerce. Their shores teem to an almost miraculous extent with fish;—but they are not allowed to touch them. Their soil is fertile beyond all others;—but they are not suffered to enjoy its fruits, or even deemed entitled to existence upon it. He would however soon sicken at the contemplation, and without going through all the melancholy details, would hasten to the inevitable conclusion, that nature intended that they should be the richest, the proudest, and happiest of God's creatures; but that they are the poorest, the most abject, and most wretched.

It would be beside our present purpose to attempt to trace the causes which have led to this lamentable result; our object in this paper being the very simple and unambitious one of examining, in detail, the legality of one of the many forms of material and palpable oppression to which our unfortunate countrymen are subjected. Any more galling species of oppression than that which we now propose to investigate, it is impossible to conceive. On the seacoasts, and on the banks

of the various navigable rivers of Ireland, there are hundreds of thousands in the deepest distress, debarred from the only sort of employment for which their local situation would seem to have destined them, and compelled to starve, while they behold the means of wealth and food, which the law of nature, and of England, and the universal usage of mankind, (Anglo-Irish excepted) allow to the first adventurous captor, passing away before their eyes, and appropriated to the use of a few individuals. God knows that they enjoy very little of the gifts, which He would seem to have designed for them; but that they should be prevented from appeasing their hunger, with the creatures which He brings and carries with the tides and seasons, and, as if to meet their daily wants, affords peculiar facilities twice a day for catching, and which, if not caught by them, may not be caught at all; that, in short, the fishes of the sea should be to them "forbidden fruit," is so monstrous an injustice, that in any other country, it would be incredible. That this injustice is illegal, is a proposition which we shall render as clear and unquestionable as any legal proposition can be, and make so plain and obvious, that no reasonable being can refuse it credence, or hesitate to conclude with us, that those who perpetrate this illegal injustice, differ from highwaymen in one respect only, that of preying upon the ignorance, instead of upon the fears of their victims.

Before entering into the consideration of the legal character of this species of oppression, we shall mention a few details relative to its origin, extent, and results. Every body knows that there is not a country on the face of the earth, which has suffered so much from the rapacity of its rulers as Ireland. From the first moment of Henry the Second's planting his foot upon its shores, the spoliation of the great mass of the people for the special benefit of a few needy adventurers has been the guiding policy of England. In the history of no other country do we find such a continuous series of confiscations. There is scarce a spot in the island, that has not been five or six times forfeited on one pretence or another. "Twere long to tell, and sad to trace" the steps, by which the whole country was gradually wrested from its rightful owners. In progress of time it became difficult to find a spot of ground in the possession of any one, from whom it was desirable to take it. This was a contingency which would puzzle greater philosophers than

the most ingenious of the sovereigns under whom it was the inexpressible felicity of our forefathers to exist. When, therefore, earth was not to be had, attention was turned to the other elements, and the result of some deliberation was the discovery, that the sea, and coasts, and navigable rivers of the island, with all that was therein, belonged to the sovereign by royal prerogative, as part of his private inheritance, and that he might give and grant them to whom he pleased, and leave the rest of the community to praise and magnify the benevolence and generosity that still allowed them the use of the common air, and did not bottle it up for the exclusive enjoyment of him and his favourites. Accordingly we find Elizabeth, James I, and his two successors, bestowing on various parties the fisheries of all the coasts and navigable rivers in the island, that it was worth any one's while to accept. The example thus set by the crown, of appropriating what it had no right to appropriate, was soon followed by the proprietors of lands on the coasts and on the banks of navigable rivers, where the crown had forgotten or neglected to exercise its newly-discovered prerogative; and thus the great body of the people were soon robbed of their ancient rights, and all the valuable public fisheries of the island were monopolised by the grantees of the crown and the owners of the adjoining lands. It is almost impossible to give a full and exact return of the number of fisheries that ought to be public which have been thus monopolized, but from the following return which we have compiled from the last official report on the salmon fisheries of these countries (that of 1836), our readers will be able to form some vague conception as to the immensity of the scale on which the Irish poor have been defrauded. Respecting the oyster, and other salt-water fisheries, we have not been able to obtain any details worth noticing, but from what we have learned concerning them, we have no reason to doubt that they been disposed of after the same fashion as the salmon fisheries. In the following return we pursue the order of the Report: where the claim of exclusive fishing is exercised under colour of law by patent, we add "patented,"—where by unvarnished force and fraud, or other means not stated in the report, we add "monopolized." The figures after the name of a river or bay, denote the number of miles the tide flows in it, according to the report.

In Meath and Louth: the Boyne, patented to the corporation of Drogheda; neglected by them—monopolized by others.

In Antrim and Londonderry: the Glenarm, Glenariff, Bush, Bann, from the sea to Coleraine, Foyle, 37 (31 only patented), and the coasts at their mouths, the Ballycastle and Port Rush coasts, patented. Lough Beg, four miles broad by four long; Lough Neagh, twenty miles long by fifteen broad, the largest lake in Europe, with the exception of those of Ladoga, Onega and Geneva (Finlay, p. 174); and the Bann, from Coleraine to Lough Beg, all fresh water, patented to the Earl of Antrim. (Rep. p. 10.) From Inishowen Head to the Giant's Causeway, monopolized.*

In Donegal: the Lennon, 4, Lackagh, Ballynass, Esk, Donegal-bay river and tributaries, and Erne from the sea to Lough Erne, patented: the Guidore, Guibarra, 10, Orea, Owentocher, Lochrismore estuary, Murvagh estuary, Eany and part of the bay into which it is discharged, monopolized.

In Leitrim: the Bunduff, Sligo bay and river, Easkey lake, river, and estuary, the Castletown, Bownona, and almost the entire coast patented or otherwise monopolized.

In Mayo: the Moy, from Ballina to the sea, the Ballycroy and Newport rivers, monopolized.

In Galway: the Galway river, from the town to the sea, the Gowla and Birterbuy bay, the Dowries and Ballinakill estuary, the Culphin and adjoining coast, the Bunowen, Bundurra, and the Great Killery bay, &c. &c. patented.

In Clare and Limerick: the Shannon, 64, patented. Feal, 6, Maig, Fergus, &c. monopolized.

In Kerry: the Maine, 15½, Castlemaine harbour,† Laune, Kenmare river or bay, 25, and Roughty, monopolized; the Currane, patented.

In Cork: the Ilen, from Skibbereen to Baltimore harbour, patented: the Bandon and Glasson, patented and otherwise monopolized; the Middleton, monopolized; the Lee, partially monopolized.

In Waterford: the Blackwater, 20, Brede and Waterford harbour, patented; the Barrow, Suir, and Nore, monopolized.

In Wexford: the Barrow‡ and Nore, monopolized under pretence of patent.

In Wicklow: the Bray river, and the bay extending from Bray Head to Killiney and Dalkey island, patented.

* This fact we learn from the Report of 1824, p. 112.

† "But there are some public salmon fisheries in the estuary called bank fisheries."—Rep. of 1836.

‡ The public right is admitted in the deep water of the estuary; but the shores are claimed by patentees.—Rep.

In Dublin : the Liffey, partially monopolized ;* a great part of the coast patented.

From the following particulars, which we have gleaned from the Reports before us, a conjecture may be formed as to the value of the property thus monopolized. According to the evidence of Mr. Little, one of the principal lessees of the north-western fisheries, the fish from each of the rivers Bann,† Foyle, and Moy, would be worth at least from £5000 to £6000 per annum, and in some years from £8000 to £9000 ;‡ the sale of salmon caught in them in 1835 amounted in Liverpool to £9000, in Manchester to £5000, in Bristol to £400, in Glasgow to £550, in Dublin to £300, in London (pickled) to £400, and in the neighbourhood of the rivers to £1800; in all, to £17,450; the annual average produce of the Foyle for the nine years prior to 1836, was 53,603 salmon, weighing 140 tons 14 cwt. 0 qrs. 14½ lbs. which, counting according to the mode there practised, 120 lbs. to the cwt. give 337,694½ lbs., and at a shilling a pound, the sum of £16,884. 4s. 6d. ;§ and the quantity of salmon shipped by him and his partner to Liverpool from their Bann, Bush, Foyle, Ballina, Ballyshannon, and Port Rush fisheries, from 1808 to 1823 (including the shipments for the last year to London, Bristol, Glasgow, and Whitehaven) was 2134 tons 14 cwt. 3 qrs. 11 lbs.,|| which, at a shilling per pound, will be found to have made the enormous sum of £239,141. 3s. In some seasons the Port Rush fishery produces 18 tons of salmon, the Bush 15 tons, the Moy, at Ballina, 100 tons,¶ and the Ballyshannon 90.**

We have not been able to collect any authentic data with respect to the produce of other fisheries, but when such is the produce of those few small ones, which can bear no comparison whatever with those of the Shannon, Kenmare, and Blackwater, we may conclude that the value of all the fisheries from which the public are fraudulently excluded, is not under £500,000 a-year.

* The Dublin corporation formerly claimed the monopoly from Island Bridge to Poole Beg, and obtained a recognition of the right by 23 & 24 Geo. III, c. 40, s. 49; which, however, was repealed by the 26 Geo. III, c. 50, s. 23, as "their right in said district was not ascertained."

† "So plentiful are salmon there, that one thousand four hundred have been caught in one haul of a net, and one thousand at the succeeding haul."—Finlay, p. 175, note.

‡ Rep. of 1824, p. 129.

§ This calculation of the value is our own work.

|| Rep. of 1824, p. 107.

¶ Id. pp. 105-6.

** Rep. of 1836.

The injury thus inflicted on the Irish poor cannot be adequately described. In former times, when fish scarcely repaid the trouble of catching them, the pretended rights of the monopolists were not enforced with any strictness except in a few places; but since steam has accelerated the communication between the two countries, salmon has risen to an enormous price; the monopolists of course "protect" the fisheries, and the poor can never taste a fish, unless in asserting their rights they are willing to run the risk of transportation or imprisonment. The extravagant prices which the monopolists have now the conscience to exact, compared with those which were paid a few years past, are enough to drive the people to desperation. From a few instances the reader may judge of all. So injured has the fishery of the Lee been by the weirs above Cork, that though salmon was formerly an article of export from the city, it is now scarce and dear, and the fisheries up the river never send any to the market.* Yet on this river there is less monopoly than on any similar river in the country. In Kilkenny, "salmon used to sell for twopence a pound, and now it will be difficult to be got for tenpence."† In Antrim county, "in the early part of the season, as high as two shillings a pound has been obtained for" it.‡ In Limerick, salmon used to be so plentiful "that the bellman constantly went about town crying them at three-halfpence a pound;"§ now they sell at from 1s. 4d. to 2s. 6d. per pound in the spring.|| Mr. Little, to whom we have already alluded, says of the northern fisheries, that the people were hostile to them, because "before we exported the salmon to England from those fisheries, they got their salmon very low, probably at not more than three farthings, or a penny, or three halfpence a pound. Now that we export them to England, a salmon cannot be got here at those prices." "On the spot, of late years, we generally obtain 10d. a pound in the spring months, and in other months about 6d."¶

The various evil consequences of this system seem to have been forced on the attention of the committee of 1825. We find them asking Mr. J. Fisher, a witness by no means enthusiastic in behalf of the people, the following question:—"Can you conceive any more direct manner of improving the

* Second Rep. of 1825, p. 16.

† Rep. of 1837, p. 15.

¶ Rep. of 1824, p. 107.

† Rep. of Select Committee of 1825, p. 145.

§ Id. p. 40.

|| Id. p. 41.

condition and the comforts of the peasantry of Ireland, than giving them a greater abundance of the supply of fish, from their habits of life?" and receiving the following answer:—"I think it would lead to promote employment, and tend to increase their comforts;" and asking a similar question of, and receiving the following reply from, Mr. S. Rice, now Lord Monteagle: "I have no kind of doubt, that if means were taken for the adequate protection of the fisheries of the Shannon, they would not only become a matter of very considerable local importance, but might also reach some degree of national importance; the local importance of this produce is apparent, when it is considered the effect which a cheap supply of fish produces on a potatoe-fed population, and that population of the Roman Catholic religion. There are few measures that would be more important to the comfort of the people than giving them an adequate home-supply of fish:"* and concluding their Second Report by declaring their conviction, "that the salmon fisheries of the United Kingdom are eminently deserving, and stand greatly in need, of the protection of the legislature, and that there is every reason to believe, under the influence of a general law founded on sound principles, that they might rise to a magnitude and importance hitherto unknown." Of such extraordinary improvements are the fisheries capable, that Mr. Little stated before the Committee of 1824, that if proper protection were afforded to the breeding fish, the spawn, and fry, the fisheries might "be increased so much, that we would hardly find a market for the fish in this kingdom."†

It is not only in enhancing the price of fish to an extravagant amount, and rendering the fisheries utterly insignificant compared with what they might be under other circumstances, that the monopolists inflict the greatest injury on the people at large, but in the mode in which they carry on those fisheries. Were the public right of fishing in those waters allowed to be exercised, every one who could command a rod or a net might go out and fish when and where he liked best, and thus thousands might amuse or employ themselves according to their tastes or necessities: but under the present system things are managed otherwise. In the fishing seasons the salmon go up from the sea towards the fresh-water rivers. Instead of employing a number of men to pursue them in boats, with nets or lines, in their progress along the monopolised coasts, bays,

* Rep. of 1824, p. 157.

† Rep. p. 120.

or rivers, the patentees, or proprietors, fix down weirs at the narrowest points nearest the fresh-water streams, extending generally in bays and rivers from shore to shore, and on the coasts of the sea as far as possible into the tide. These weirs secure all the salmon that attempt to pass them, and at the ebb of the tide three or four men take them out of the nets or chambers, and bring them ashore. Thus a weir and three or four men deprive perhaps ten thousand people of legitimate and profitable employment. Of the actual numbers thus debarred from employment, the reports before us give no return or estimate; nor have we been able, though we have spared no efforts, to obtain any from other sources: but to enable the reader to form some conjecture on the matter, we shall state the facts which have come under our observation with regard to the only two rivers respecting which we have been fortunate enough to ascertain any particulars of this nature. According to the report of 1836, there is no part of Ireland in which the rights of the public to fish in the sea and tidal rivers seems to be so well understood and generally exercised as in Wexford. Yet the commissioners, who in this instance only condescended to hear any evidence but that of the monopolists, adopting the statements of the fishermen, say: "The present laws appear to be very strict, and passed as if intended to protect the employment of the fishermen from the encroachment of the gentlemen and weir-owners: but it is quite evident that these laws have remained a dead letter for the last century; the gentlemen and magistrates who should enforce them, became weir-owners and in the receipt of large revenues therefrom, allowed the fishermen, who were thirty years back a comfortable, well-clad, well-housed people, to dwindle away into wretchedness and poverty;" though the salmon fishery, if properly and legally managed, would "give ample and well-paid employment to one thousand five hundred people for six months of the year." (Rep. p. 66.) The report does not say, but we suppose, that the herring, mackerel, and other fisheries, would employ them during the remaining six months. The Shannon is two hundred and fourteen miles long, from its source to its mouth, and navigable throughout all that extent, except for a few miles between Limerick and Killaloe, and a few miles more near its source; it passes through several large inland lakes (one fourteen miles by ten); is affected by the tide for sixty-four miles; is nine miles wide at its mouth; for forty miles has an average breadth of three miles; and

for the remaining twenty-four miles, gradually narrows to something less than a quarter of a mile at Limerick. About two miles above Limerick the corporation erected a weir across the channel, from shore to shore. This weir was so constructed that not a salmon could pass through or over it. Between it and the main sea the corporation would not allow any one to fish, and between it and the source of the Shannon they of course did not allow a salmon to appear; and thus all the fishing in the river was confined to that one spot, and was managed by five men—four to take the fish out of the chambers of the weir, and the fifth to kill and count them. Had that weir been indicted and abated as a nuisance, and all other illegal weirs and fixtures along the course of the river been removed, and all persons been allowed to exercise their rights of fishing, and in a lawful manner only, there would have been “ample and well-paid employment” afforded to at least forty thousand persons.

But it is not the poor alone who are defrauded by these weirs. Every gentleman who has lands on the banks of a fresh-water private river, up which salmon would come were they not prevented by these weirs, is defrauded of the full enjoyment of his property; for to the lawful fishery in such a river he is as much entitled as to the fruit in his kitchen garden. The country-gentlemen very soon saw the wrong inflicted on them by such weirs, and endeavoured to relieve themselves by the aid of the legislature. A bill was introduced, in 1784, into the Irish parliament, for promoting the inland fisheries; one of the clauses of which provided that in each weir on the Shannon there should be fixed a sluice, or flood-gate, of six feet in width, and that it should be left open from Saturday evening to Monday morning, in order to permit the fish to go up the river to spawn. This very fair proposition was opposed by a Limerick member, on the ground that the corporation “had for many years enjoyed under a charter the right of having weirs on the river Shannon,” and that their chartered rights should not be thus interfered with. “The attorney-general doubted very much the legality of the charter encroaching on private property. The charter mentioned by the honourable gentleman was undeniably of that description: for by the weirs erected under its authority, all the upper part of the Shannon was rendered destitute of fish, and the proprietors of land abutting upon the river were deprived of the benefit of the fishery, to which they must have an original right. The bill now before the

committee was intended to restore in some degree the benefit of the fishery to the interior country, without injuring the city of Limerick; for though at their weirs there were often caught from six hundred to one thousand fish per day, for the whole upper part of the river it was only desired that a small passage should be opened for a few hours once a week, that the mother-fish might go up to spawn.* The bill was lost; but a few years afterwards another was brought in, and passed; which provided that in every weir in every river, and in the deepest part of such river, there should be a passage twenty-one feet wide, called the king's gap, left always open.† This statute has been, however, in most cases disregarded by the weir-owners. The Limerick corporation for a long time set it at defiance, till at length legal proceedings were taken against them; and even when they were obliged to leave the gap open, they endeavoured to defeat the object of it, by putting several white substances in it, and particularly one in the form of crocodile, to frighten the fish from passing up.‡ In general, throughout the entire kingdom, wherever the gap is left, various expedients are resorted to for the purpose of rendering it inefficacious; so that the proprietors of the fresh-water fisheries are almost as completely defrauded of their fishings as if that statute had never been passed. But even supposing that the weir-owners fairly complied with it, see what a fraction of their rights they leave to the private proprietors—twenty-one feet out of an average breadth probably of a quarter of a mile!!!

Looking at all these circumstances, can we wonder that the whole population should be hostile to such a system; or rather ought we not to be amazed that human beings could be found patient and broken-hearted enough to submit to it? Everybody, not directly interested in it, lifts his hand against it. The people refuse to obey what they are told is the law, and the magistrates, who are not interested, refuse to enforce it. Both, in general, have some undefined notion that the pretensions of the monopolists are illegal; and the latter dextrously contrive, without bringing their titles directly in question, before magistrates who are uninterested or impartial, to throw the sanction of authority around them, by punishing "poachers," as they call those who fish in the waters which they claim as their own, for some offence against the general

* Quoted in Finlay, p. 145.

† 23 & 24 Geo. III, c. 40, s. 11.

‡ See Rep. of 1825, *passim*.

fishery laws, and thereby creating an impression among the ignorant or unthinking, that it was for a violation of their exclusive privileges that the punishment was inflicted. The consequence of this state of doubt, litigation, and trickery, is that the people in the neighbourhood of these fisheries generally assert their rights with a degree of violence, which a fiery conservative journalist would not hesitate to construe into an open insurrection against the majesty of British laws and the integrity of the British constitution, &c., &c., &c. On plain matters of fact nothing is so satisfactory as evidence; we therefore proceed to describe, in the language of the witnesses, whose testimony is given in the reports before us, a few instances of the modes in which the popular antipathy is manifested.

That "the laws are well adapted to protect monopolies, when administered by interested magistrates and their friends," is testified by Lieutenant Brereton; who speaks from experience, as he enforces his own monopoly (on the Castletown coast, Sligo), though he doubts its legality.* But Lieutenant Brereton seems to be peculiarly fortunate. Mr. Little says, "One great defect [in protecting the fisheries] is the unwillingness of the magistrates to put the law in execution; they are unwilling to convict and fine the poachers. There is a magistrate near the Bann who commands a troop of yeomanry, and he has been encouraging his men to kill the salmon. Last year we prosecuted some of them, and got them convicted; but they appealed to the quarter-sessions, and he procured bail for them, and came himself to the quarter-sessions to defend them; but notwithstanding his opposition we ultimately convicted them at the quarter-sessions." "The opposition in the country to the protection of the fishery is so great, that we are frequently obliged to get the military to go with us to enforce the law."† "Some magistrates will not give themselves any trouble, as they say the salmon are sent out of the country, and they get no benefit from them."‡ "We have stake nets in Ireland at some places where they have allowed us to set them, and we have attempted to put stake nets in other places where they have been cut down."§ "Mr. Alexander Orr, of Aghadowy, is the magistrate who encourages his yeomanry to kill the fish in the Bann: he said openly he will not convict anybody for fishing. We have

* Rep. of 1836, pp. 31-2.

† Rep. of 1824, p. 127.

† Rep. of 1824, p. 120.

§ Id. p. 121.

our waterkeepers very frequently shot at, and we have had one actually killed in that district. I myself have been shot at.”*

Before the Committee of 1836 we find the following evidence given:—“There are no water-bailiffs to protect Glenariff river, except James Hector’s men, and as the people consider him dealing unlawfully himself, they pay little respect to his water-bailiffs.” (*Rep.* p. 15.)

In the Bush, the patentees and the people are disputing their relative titles: “water-bailiffs are employed in great numbers, but are ineffective;” “the county jail being a distance of thirty-five miles from the Bush river, it is impossible for the keepers to convey persons convicted to such a distance.” (p. 16.)

“A water-keeper may appear and give evidence and convict, but the warrant cannot be executed; there is no constable or public officer that the lower classes respect or stand in awe of; and it is even difficult for a water-keeper to show himself upon the banks of some rivers; he would be at least severely beaten.” (p. 19.)

The Bann, Foyle, and Moy.—“The expenses of protecting the Bann, Foyle, and Moy, amount to £1500 or £1600 a-year; 400 men are employed as water-keepers, and 220 as fishermen. The present protection is quite insufficient; the constabulary, or some other local force is necessary in carrying the laws into execution, as it sometimes happens that bands of fifty or sixty poachers come down on the water-keepers and attack them, and smaller bands frequently come down.” (p. 22.) “The poachers look upon any of their neighbours turning water-keepers, as traitors, and persecute not only them but their families. In some excellent spawning rivers, the lessees cannot prevail on a single individual to act as water-keeper, and thus the salmon are left the undisputed and undeserved prey of marauders whose motto is, ‘*a stick out of the wood, or a fish out of the water, is neither sin or crime.*’” (p. 23.)

The Donegal rivers.—“I think the law sufficient if carried into effect, which is impossible to the water-bailiffs, as the poachers go in parties, sometimes with arms, and always carrying bags of stones; the laws can never be effectually put in force, if the police are not empowered to carry them into execution.” (p. 29.)

* *Rep. of 1824*, p. 128.

Sligo rivers.—“Stake nets were used in this river for one season, but were all torn down by the country people.” “There is much poaching on the river, and as the poachers are all armed, he is obliged to supply arms to his water-keepers; frequent conflicts arise, and one of his water-keepers was shot a few years since.” (p. 31.) “The people think it no great crime to take salmon, because they have no interest in preserving them; give the people an interest in the fisheries, and I think there would be little poaching.” (p. 32.)

Mayo rivers.—“Poachers commence their depredations in numbers of fifteen or twenty together, sometimes disguising themselves, and having shirts outside their clothes.” (p. 34.)

Waterford rivers.—“The laws are sufficient, but cannot be enforced, from the habits of the people and the state of the country.” “The people have come down here and cut the nets several times within these few years past, and threats are held out that such may be the case again.” (p. 60.)

In this struggle against the rights of the people, the monopolists call of course, according to custom, on the government for assistance, and suggest the heads of a fishery coercion bill, the Quixotic extravagance of which would only render them ludicrous, did we not know that Ireland was the object of legislation. Any person keeping a boat on a river should register it, and give security that it should not be used in fishing.* Any person, not being a proprietor of a river, found taking salmon in the sea, should be liable to a penalty, and this penalty should be enforced even where salmon might be taken in nets cast for other fish, unless immediately set free.† The government should establish a river police, offer rewards for prosecutions, change the punishment (fine and imprisonment not being sufficient), and, finally, to crown all, from the “justices’ justice” there should be no appeal.‡

As these enlightened views have not been hitherto enrolled on the statute-book, and are not now likely to be ever raised to that dignity, as the “ancient and constitutional” system of ruling for and by a few factionists has been exploded, and the gratuitous infliction of the greatest possible amount of injustice and misery on the Irish people is no longer deemed by British statesmen the clearest evidence of political wisdom; and we may entertain some slight prospects of fair play for them, without being looked upon as exceedingly chimerical,

* Rep. of 1824, p. 118.

† Rep. of 1836, p. 30.

‡ Id. pp. 17, 32, 34, 35, 47, 53, 54, 60, 61.

we shall proceed to demonstrate the illegality of the pretensions of the very parties who thus call on the legislature for such extraordinary protection.

The sea requiring no aid from human cultivation, being undistinguishable by metes or bounds, and being inexhaustible by the only uses to which it can be converted, it seems unreasonable to allow any appropriation to a few, of what Providence so obviously designs for the common benefit of all, and therefore in all ages and countries (with the exception of Ireland for the last few centuries) it has been a general principle of law, that all nations and persons should have the right of fishing in it. This doctrine is part of the law of nations. However, on principles of public policy, courtesy, and convenience, every nation is allowed the exclusive dominion of so much of the sea surrounding its coasts as is within cannon shot of the shore, and of those parts of it which are land-locked, as roads, bays, gulphs, &c. But in these parts all the members of that nation have the same right to fish that all nations have in the parts that are not so appropriated. Such is and has been the law of every country, savage or civilized, in the world, with the exception of Ireland. One of the earliest writers on the law of England says: "By natural law all these things are common, flowing water, the air and sea, and the shores of the sea as accessories of it; for no one is prohibited from going to the shores of the sea, provided he meddle not with houses and buildings, because by the law of nations the shores of the sea are common, as is also the sea itself;:"* and one of the greatest modern writers says, that to an action of trespass for fishing in an arm of the sea, (and every water where the tide flows and reflows is called an arm of the sea,†) it is a good justification to say, that "the place where, &c." is an arm of the sea, in which every subject has, and ought of right to have, a free fishery.‡ The only exception to this general right is, where any one enjoys the exclusive fishery in some particular part of a branch of the sea by prescription, that is, quiet, uninterrupted, undisputed possession, from a period prior to the reign of Richard I, or by a grant from the crown as old at least as the reign of Henry II. As the common-law of the two countries is the same, and as in the various monopolized coasts, bays, rivers, estuaries, &c. which we have named,§ the tide flows and reflows,

* Bracton, lib. i. c. 12, f. 7, b. † 22 Lib. Ass. 93. ‡ Per Hale, Anon. 1 Mod. 105-6.

§ With the exception of Loughs Neagh and Beg, and the Banne from Lough Beg to Coleraine.

every subject has *prima facie* a right to fish in them as far as it flows and reflows, and cannot be debarred of that right, except by prescription, or a grant from the crown as old as the reign of Henry II. On this point there is not a second opinion amongst lawyers,—we mean men who know the law—and we should deem it as unnecessary to cite authorities in support of it, as of the proposition that murder is felony, were it not that the opposite doctrine has been acted on for three hundred years in this country, has been gravely announced as sound law by Sir John Davies, the attorney-general of the king who made the greatest number of grants in accordance with it, and has been adopted and advocated by the last compiler on the Irish game and fishery laws, and that it is probable the greatest efforts will be made to sustain it. In Mr. Finlay's treatise we were amazed to find the doctrine laid down, that the exclusive fishery of navigable rivers belongs to the crown, and that it may be granted by the crown to any subject. He says: "There are two kinds of rivers, navigable and not navigable. Every navigable river, so high as the sea flows and ebbs in it, is a royal river, and the fishery of it is a royal fishery and belongs to the king by his prerogative; but in every other river, not navigable, and in the fishery of such river, the terre-tenants on each side have an interest of common right. *Sir J. Davies's Rep.* 149." (p. 134.) "Rivers navigable belong to the king, but may be appropriated. By the law of England, what is otherwise common may by PRESCRIPTION be appropriated. Grotius owns that navigable rivers may be appropriated. By Yates *Jus. Carter v. Murcott.*" (*Ibid.*) After observing that the public had originally, and even still have, according to the general rule of law, a right of fishery in those waters, he adds, that "there are cases" in which the crown, in a wise exercise of its prerogative, has taken this general right from the public, and lodged it "as property in private individuals, in order to preserve it from the abuse of the public, and for the benefit of the public." . . . "So it was in England in respect to the navigable rivers, the Severn and Thames; in the former of which it was ruled, in the case of *Carter v. Murcott*, that an individual might acquire a several right of fishery from the crown by prescription, which supposes a grant from the crown; and in the latter of which cases, such right was acquired by charter, that is, by grant from the crown to the city of London, and under the force of which it is stated in Davies's Reports, 149, that the city of London receives *romts*

of those who fix posts or make wharfs on the soil of the river Thames." He next observes that this royal prerogative has been more exercised in this country than in England, and certainly "to a considerable extent," notices the grants of Lough Neagh and the Banne to the London company and the Earl of Donegal, says that "those grants have ever since been regarded as several fisheries, that is, as private property in such grantees (3 *Ridgeway*, *P. C.* 257, *Hamilton v. Marquis of Donegal*);" and adds, that as by the 28 Hen. VIII, c. 22, the Boyne, Barrow, Suir, Nore, and Rye, have been denominated royal rivers, the exclusive fishery of them, "according to Sir John Davies's report of the Banne case," belongs to the king. (pp. 135-6-7.)

We have frequently read over these passages, and have as frequently found it difficult to characterize the mind that indited them. The only conclusion to which we could ever come was, either that Mr. Finlay was profoundly and immeasurably ignorant of the subject, or that he had some personal interest in advocating the pretensions of the grantees. He first cites Davies as an authority for saying that the fishery of all navigable rivers belonged to the king, though he knew, or should have known, that Davies stood alone in this dictum, and next he pounces on Mr. Justice Yates making some extrajudicial observations on the right of the crown, in days beyond the time of legal memory, to appropriate public rivers, and citing Davies and—*Grotius*! In that case of *Carter v. Murcott* the question before the court was, whether the crown could make such appropriation prior to the time of legal memory, so that the plaintiff might then claim by *prescription*. Yet Mr. Finlay perverts the observations of the learned judge to proving that the crown could appropriate such rivers now. The case of the Severn had not therefore the slightest analogy to the question which he was considering, whether Elizabeth, James, and the Charleses, were justified in what they did? The allusion to the Thames is equally unfortunate, as he should have known, that though the soil of the river is in the king, and the conservation of it in the lord mayor of London, the fishery of it is common to all the king's subjects.* The case from *Ridgeway*, which is paraded as an authority, throws no light on the subject, as the question there was between two grantees of the crown, neither of whom

* *Hind v Mansfield*, Noy's R. 103, Lord Fitz Walter's case, 3 Keb. 242
1 Mod. 106 Anon.

was disposed to dispute his grantor's title, and the only question between whom was the recent interruption by the one of the other's fishery. But perhaps we had better turn attention to the case on which Mr. Finlay seems to have principally relied, and see whether it be law.

Sir John Davies in his report of the "Royal Fishery of the Banne" says:

"That in that river, about two leagues from the sea where the stream is navigable, there is a rich fishery of salmon, which was parcel of the ancient inheritance of the crown, as appears by several pipe-rolls and surveys, where it is found in charge as a several fishery, but now it is granted by the king to the city of London in fee-farm. The profits of this fishery have been taken and shared among the Irish lords for the space of two hundred years past, who have made incursions and intrusions on the possessions of the crown in Ulster, and have possessed by the strong hand the territories adjoining the river Banne till the first year of the reign of our lord the king who now is.

"Anno primo Jacobi, Sir Randall Mac Donel obtained a grant to him and his heirs, by letters patent, of the territory of Rout, which is parcel of the county of Antrim and adjoining to the river Banne, in that part where the fishery is and ever has been. By these letters patent the king grants to him, 'omnia castra messuagia (&c. &c.), piscarias piscationes, aquas aquarum cursus, etc. ac omnia alia hereditamenta in vel infra dict. territorium de le Rout in comitatu Antrim, exceptis et ex hac concessione nobis hereditibus et successoribus nostris tribus partibus piscationis fluminis de Banne.'

"On this grant Sir Randall Mac Donel petitioned the lord deputy to be put in quiet possession of the fourth part of the said fishery, which had been till then put in sequestration by an order of the council-table. The lord deputy being informed by the king's attorney that no part of the fishery passed by this grant to Randall Mac Donel, required the resolution of the chief judges being of the privy council in the matter, who on view of several pipe-rolls in which this fishery was found severally in charge as parcel of the ancient inheritance of the crown, and on consideration of the said grant made to Sir Randall Mac Donel, certified their opinion and resolution, that no part of the said fishery passed to the said Sir Randall Mac Donel by the letters patent aforesaid. And in this case divers points were considered and resolved.

"Firstly, though the rule of the civil law is that '*flumina et portus publica sunt ideoque jus piscandi omnibus commune est in portu fluminibusque*,' which rule is found in Bracton, lib. ii. c. 12, yet by the common-law of England, a man may have a proper and several interest as well in a water or river as in a fishery, and on this account a water may be granted.—(11 R 2, Plo. Com. 154 a.)

The rest of this section consists of further arguments and cases in proof of the preceding proposition, which nobody controverts, but which is in no way relevant to the question, whether every navigable river is the *free* or exclusive fishery of the king. The second section is devoted to proving that the king shall have land gained out of the sea, "the grand fishes of the sea, whales, sturgeons, &c., which are royal fishes," "wild swans, as royal fowls, on the sea and branches of it"—that ports and havens belong to him, and that he has the same interest and prerogative in navigable rivers and branches of the sea as in the high sea itself. The third section contains the statement respecting the city of London, and the ownership of the river Thames, which Mr. Finlay copies, and on which we have already commented. The fourth section is the only one in the whole case material to the present question. It is a curiosity in the way of argumentation, and therefore, notwithstanding its length, we place it without curtailment before our readers.

"4. Among the pleas of the crown, (40 Ed. 3,) in the chief chamber of Dublin Castle, there is an entry—'Our lords, the sovereigns of England and lords of Ireland, in right of the crown, have over all the water of the Boine, from the town of Drogheda as far as Trim, a portion of the water commonly called the Watershard, containing in breadth twenty-four feet in the deepest part of such water, SO THAT BOATS AND VESSELS, &c., MAY PASS AND REPASS THROUGH THE AFORESAID PASS WITHOUT INTERRUPTION,' &c., &c., and there adjudgment is entered on the same roll. 'That a weir, made by the Abbot of Mellefont, in the said river, should be abated and a fine imposed on him.' And this agrees with Glanvil, who says that *purpresture* may be as well made in royal waters as royal roads. (see 19 Ass. p. 6.) That the river Lee is found on inquisition the high stream of the king (*le hault streame del roy*) and also (1 and 2 Ph. and M. Dyer, 117 a.) The Thames is called the king's stream, and in the statute (28 H. 8, c. 22) passed in this realm, the rivers Barrow, Noire, and Suere, are called the king's rivers, and the weirs erected on them *purprestures*; and although the king permits his subjects for their ease and advantage to have free passage on such navigable rivers, he has notwithstanding a sole interest in the soil of those rivers and also in the fisheries, although its produce is not generally taken and appropriated by the king, if not of extraordinary and fixed yearly value, as the piscary of Banne has ever been. Observe in the case of *Swans*, 7 Co. 16 a., the king, H. 8, granted to Strangewaies all that free fishery called the Fleet, in Abbotsbury, which is a bay or creek of the sea, and although the abbot had the piscary previous to the dissolution, it is to be understood that the abbot had this originally by grant from

the king, being a several fishery upon an arm of the sea, and consequently a royal fishery. (see Plo. Com. 315 b.) Wherefore it was resolved that the river Banne, like the sea, having a tide, is a royal river, and the fishery of salmon there a royal fishery, which appertains to the king as a several fishery, and not to them who have the soil on either side of the stream."

This is a fair specimen of Davies' style of arguing an Irish question. He sets out with saying that the reason why the judges declared the Banne to be a several fishery in the crown, was because they found it so charged in ancient pipe-rolls, and ends by saying that it was because it was a navigable river. Davies throughout seems to have aimed at — what, as Attorney General, was his legitimate object — victory for the crown; and therefore, if the Banne was not to be a several fishery by the rules of the common law, it was to be so at least by the entries in the pipe-rolls. It is an old saying, that one who has not a regard for veracity, must have at least a good memory. Sir John seems utterly oblivious of consistency in the narration of his fictions. He states that the Banne was charged as an ancient inheritance of the crown in the pipe-rolls, but immediately adds that the Irish lords had taken by the strong hand the profits of the fishery for the preceding two hundred years. If they had, it would be desirable to know at what period prior to those two hundred years, the kings of England had the exclusive privilege of catching salmon there, and what was the object of making a charge for it in the pipe-rolls. There was nobody to be charged, except men who with the strong hand alone would condescend to settle accounts at the Exchequer. But the probability is that no one was fool enough to make any such entries in the pipe-rolls, and that Sir John put forth the statement merely as a pretence for vesting the fishery in the crown. When writing the following passage, he seems to have been forgetful of this case of the Banne. "And again, though the greatest part of Ulster were vested by act of Parliament in the actual and real possession of the crown,* yet there was never any seizure made thereof, nor any part thereof *brought into charge*, but the Irish were permitted to take all the profits without rendering any duty or acknowledgment for the same."† This alone, if all other history were silent, would dispose of the trumpery fiction, that the

* In the reign of Elizabeth, by the act attainting O'Neil.

† "A Discovery of the true cause why Ireland was never subdued," &c., &c., "until the beginning of the reign of James." By Sir John Davies, &c.

fishery of the Banne was an ancient inheritance of the crown. His mode of perverting facts is not, however, half so discreditable as his mode of perverting legal cases and principles. In this latter occupation he seems to have been a consistent as well as unscrupulous adept. It seems rather strange, that the first authority with which he sets out, is the rule of the civil and common law, declaring the right of fishing in ports and rivers to be common to all persons; and that instead of attempting to reconcile this with the doctrine that the right of fishing in such ports and rivers belongs exclusively to the crown, he should fly off to a topic which had no more real connexion with the question under consideration, than it had with the aquatic prerogatives of the emperor of the Celestial empire. Then as to the second paragraph of arguments—no one denies that navigable rivers are of the same nature as the sea for all legal purposes, and that the king has the same interest and prerogative in them as he has in the sea—and no more;—but no one has ever said that he has an exclusive right of fishing in the sea, and no one, except Davies and Finlay, has said that he has an exclusive right of fishing in navigable rivers. Davies has cited authorities to show that the king has “the grand fishes of the sea, whales and sturgeons.” If he have a right to all the fish in the sea, why should these only be particularised? Or why not cite some authority for classing salmon with whales and sturgeons among the royal perquisites? It was impossible: as all other writers agree that salmon are not royal fish. Bracton says, the king is to have “large fish, whales, sturgeons, and other royal fish.”* Hale mentions as royal fish, “sturgeons, porpoise, and *balæna*, which is usually rendered, a whale.”† One of the old articles of the Admiralty cited by him, orders the admiral to take the king’s moiety of “whales, balens, sturgeons, porpoise, or grampise.”‡ The doubt that might have in very early times existed as to what, besides whales and sturgeons, the other royal fish were, seems to have been removed by the statute *de Prærogativa Regis*, (sec. 13) which merely says, that the king shall have “whales and great sturgeons taken in the

* Lib. ii. c. 5, s. 7, f. 14.

† “Treatise on Maritime Law,” Part 1, c. 7, p. 43.

‡ Ib. He adds, that by the custom of the Admiralty “the king had the head and the queen the tail, which countervailed a moiety, and the taker had the body, which countervailed the other moiety.”

sea, or elsewhere within the realm." All modern English writers agree in limiting the king's right to whales and sturgeons.* "The king," says Chitty, "has no general property in fish. It would be superfluous to specify and particularly designate whales and sturgeons alone as being royal fish, if all fish were the king's property,—*Exceptio probat regulam*."† Hale goes out of his way to have a kick at Davies—"And these kinds of fishings are not only for small fish—sea fish—as herrings, sprats, pilchers, &c., &c., but for great fish, as salmons, which though they are great fish, are not royal fish, as the report of Sir John Davies, in the case of the piscary of Banne, would intimate."‡

We shall now take the fourth section to pieces, and compare the legal crudities which this Attorney General thought good enough for "the mere Irish," with what English judges and jurists have held on the same points.

By the recital of the record in Dublin Castle, it appears that the king had a right to the Boyne only as he had to any other highway, for the purpose of securing a free passage for vessels. There is no pretence that he had an exclusive right of fishing in it. That the weir erected by the Abbot of Mellifont should have been abated as a nuisance, does not prove that the river was the private property of the crown. A purpresture, according to Coke, "signifieth a close or inclosure; that is, when one encroacheth or maketh that several to himself which ought to belong to many," and means, generally, any injury to a royal tenement or royal way or the state,—“and every publique river or streame is *alta regia via*—the king's highway.”§ “The Thames is called the king's stream,” but the fishery belongs to the public.¶ Hale says that public rivers for the common passage of vessels, whether large or small, are “highways by water,” and as much under the controul of the king as “the common highways on the land,” “and as the highways by land are called *altæ viæ regię*, so these public rivers for public passage are called *fluvii regales*, and *haut streams le roy*, not in reference to the propriety of the river, but to the public use; all things

* Bac. Ab. Prerogative (B. 4); Comyn's Digest, tit. Prerogative; Schultes' Aq. R. p. 15, 16, &c.

† Prerogatives of the Crown, p. 144.

‡ Treat. on Mar. Law, part 1, c. 5, p. 19.

§ 2 Inst. 38.

¶ According to Schultes' Aq. R. p. 132, it would seem that the *Lee* was found to be the king's street, and not stream; “que l'ewe de Ley est haute estrete de le roy.”

of public safety and convenience being in a special manner under the king's care, supervision, and protection. And therefore the report of Sir John Davies of the piscary of the Banne, mistakes the reason of those books that call these *streams le roy*, as if they were called so in respect of propriety; (as 19 Ass. 6 Dy. 11,) for they were called so because they are of public use and under the special care and protection of the king, whether the soil be his or not.* "A highway is called in the old books *le haut chemin le roy*; yet it was adjudged by the whole court, that all profit arising therefrom, and trees growing thereon, belonged to the lord of the place; and again, that every one has an interest in the king's highway."† Hale compares the king's "right of propriety or ownership" in the sea and its branches, to that of the lord of a waste or common, and says, that though he "is owner of this great waste, and as a consequent of his property, hath a primary right of fishing in the sea and the creeks and arms thereof, yet the common people of England have regularly a liberty of fishing in the sea or creeks or arms thereof, as a public common of piscary, and may not without injury to their right be restrained of it, unless in such places, creeks, or navigable rivers, where either the king or some particular subject hath gained a propriety exclusive of that common liberty."‡ The latest writer on this question thus sums up the general bearing of all the authorities: "All the writers on the common law of England agree, that the supreme dominion or jurisdiction of the British seas belong to the sovereign, as the head and representative of his people, and that the free and universal right of fishing and navigation in such seas, ports, and arms of the sea, and navigable rivers exercisable under his jurisdiction, belongs to the subjects in general. The right of fishing in these seas never was vested in the crown exclusively, and of course is not to be considered as a legal franchise. As a public right belonging to the people, it *prima facie* vests in the crown, but such legal investment does not diminish the right of the subject, and is merely reposed in the crown for the sake of regulation and government."§

Let it be observed that Davies does not cite a single authority in support of the monstrous proposition, that the king has

* Treatise on the Maritime Law of England, part 1, c. 2.

† Schultes' Aq. R. p. 78, referring to Pasch. 2 Ed. IV, p. 21; Hil. 27 H. VI, p. 5; and Pasch. 10 Ed. IV, p. 19.

‡ Ib. sup. c. 4.

§ Chitty, 1 Game Laws, 244.

a sole interest in the soil and fishery of navigable rivers. The fishery of *the Fleet* did not come to the king by his prerogative, but as an ancient appurtenance of the abbey lands. Davies cites Plowden in support of the assertion, that as it was a several fishery upon an arm of the sea, it was consequently a royal fishery. The passage referred to, merely states that the common-law "appropriates everything to the persons whom it best suits, as common and trivial things to the common people; things of more worth to persons in a higher and superior class; and things most excellent to those persons who excel all others;" and therefore it appropriates gold and silver, "the most excellent things which the soil contains," and sturgeons and whales, the two most excellent fishes in the sea within this realm, "to the king, who is the most excellent person in the realm." How far this is an authority for Davies we would submit to the judgment of even Mr. Finlay. He also says, it must be understood that the abbot had it originally by grant from the crown. Hale denounces this as "certainly untrue." After citing several cases to prove that such a fishery might be acquired by prescription, without any pretence or implication of a grant from the crown, he says: I have added the more, because there are certain glances or intimations in the case of the piscary of the Banne in Sir John Davies's reports, as if the fishing in these kinds of royal rivers were not acquirable but by special charter, which is certainly untrue, for they are acquirable by prescription or usage, as royal fish may be.*

We must now part with Sir John Davies, but cannot separate so easily from Mr. Finlay. His offence is rank, without excuse, and unpardonable. Sir John Davies was engaged for the crown, and might therefore seek excuse for any perversion of legal principles in gaining a triumph for his employers. But Mr. Finlay had no such excuse. He was writing a compilation—a sort of "Reading-made-easy"—of the game and fishery laws, and he so far forgot his trust, as to take as the sole arbiter between the opposing pretensions of the crown and the public, the *dictum* of the corrupt advocate of the former, and to shut his eyes to the immense mass of authorities directly negating that dictum. In that case of *Carter v. Murecott*, which with "the case of the piscary of the Banne," would appear to have constituted his whole stock in trade on this subject, he would have found Lord

* *Ib. supra*, c. 5.

Mansfield differing so widely from his views, as to say, "the rule of law is uniform. In rivers not navigable, the proprietors of the land have the right of fishery on their respective sides, and it generally extends *ad filum medium aquæ*. But in navigable rivers, the proprietors on each side have it not—the fishery is common; it is *prima facie* in the king, and is public." (4 Burr. 2162.) Had he extended his researches a little further, he would have found all authorities, ancient and modern (with the exception of his favourite) coinciding in this opinion, and declaring that the right of fishing in the sea and public navigable rivers, belongs not exclusively to the king, but is common to every one of his subjects;* he would have found a plea of prescription of common right of fishery in the sea as appurtenant to certain lands, held by all the judges of one of the highest courts in the kingdom, to be as idle and absurd as a claim of travelling on the king's highway, or breathing the common air, as appurtenant to a certain estate;† he would have found some jurists—and among them Lord Holt—denying that this common-right could be restrained by grant or prescription,‡ and those who admitted that it could be restrained by grant, declaring that such a grant ought now to be at least as old as the reign of Henry II;§ he would have found the great charter providing: "henceforth let all weirs|| be entirely removed from the Thames and Medway, and through all England, except along the coasts of the sea;"¶ and the second and third charters of Henry III extending this provision, and rendering all weirs erected in the time of his father and uncle illegal: "henceforth let no rivers be put in defence, except those which were in defence in the time of king Henry our grandfather, in the

* *Gipps v. Woollicot*, Holt, 323; Bro. Ab. tit. Prescription and Customs, 46; *Viner's Ab. Piscary*, B.; the Mayor and Commonalty of Orford v. Richardson, 4 T. R. 437, 5 T. R. 367, 2 H. Bla. 182, 1 Anstruth. 232; *Bagot v. Orr*, 2 Bos. & Pull. 472; *Rogers v. Allen*, 1 Campl. 309; *Seymour v. Courtenay*, 5 Burr. 2814; *Mayor of Lyner v. Turner*, Cowp. 16.

† *Ward v. Cresswell*, Willes, 265.

‡ *Schultes' Aq. R.* 101; *Bacon's Ab. Prerogative* (B. 3) and cases there cited; note to *Carter v. Murcott*, as cited by Hall, p. 53. In *Warren v. Matthews*, 6 Mod. 73, 1 Salk. 357, Lord Holt says: "Every subject of common right may fish with lawful nets . . . in a navigable river, as well as in the sea, and the king's grant cannot bar them thereof. But the crown has only a right to royal fish, and that only the king may grant" . . . "and a *quo warranto* ought to be brought to try the title of this grantee, and the validity of his grant."

§ Hall, *Rights of the Crown on the Sea-shores*, &c. pp. 46-54, and cases there cited; *Chitty*, 1 Game Laws, 272, and *Prerogatives*, 143. ¶ See also *Duke of Somerset v. Fogwell*, 5 B. & C. 875, and *Blundell v. Catterall*, 5 B. & A. 268.

|| "Kidelli"—"open weirs for taking of fish."—10 Rep. 138. ¶ c. 23.

same places and by the same bounds as they were wont to be in his time;" he would have found Sir Matthew Hale thus expounding this statute: "Before the statute of *Magna Charta*, cap. 16, it was frequent for the king to put as well fresh as salt rivers *in defenso* for his recreation, that is, to bar fishing or fowling in a river, till the king had taken his pleasure or advantage of the writ *de defensione ripariæ*, which anciently was directed to the sheriff to prohibit rivation in any river in his bailiwick. But by that statute it is enacted, 'quod nullæ ripariæ defendantur de cetero nisi illæ quæ fuerunt in defenso tempore Henrici regis avi nostri et per eadem loca et per eosdem terminos sicut esse consueverunt tempore suo.' After this statute the *Ripariarum defensiones* ran thus, as appears claus. 20, Hen. III, m. 3, dorso; claus. 22, Hen. III, m. 2, dorso et sæpius alibi: "Rex Vicomiti Wigorniae salutem. Præcipimus tibi quod sine dilatione clamari facias et firmiter prohiberi ex parte nostri ut nullas eat ad riviandum in ripariis nostris in ballivâ tuâ quæ fuerunt in defenso tempore Henrici regis avi nostri:"* and he would then naturally ask himself, what return could the sheriffs of Limerick, Antrim, Waterford, &c. &c. make to such a writ, were it to be now directed to them? Had he even looked into the elementary hand-book of all students, he would have found the following very plain commentary on the charters: "A *free fishery*, or exclusive right of fishing in a public river, is also a royal franchise, and is considered as such in all countries where the feudal polity has prevailed; though the making such grants, and by that means appropriating what seems to be unnatural to restrain, the use of running water, was prohibited for the future by king John's great charter, and the rivers that were fenced in his time were directed to be laid open, as well as the forests to be disafforested. This opening was extended by the second and third charters of Henry III to those also that were fenced under Richard I, so that a franchise of free fishery ought now to be as old at least as the reign of Henry II."† Or had he attended to the business of the four courts, he would have found even Irish judges declaring that the crown could not create an exclusive right of fishery in a navigable river, or other arm of the sea, since the great charter.‡ But it is useless to follow him through what he might, but did not, find out.

* Mar. Law, part 1, c. 3, p. 7.

† Blackstone, 2 Com. 39.

‡ Duke of Devonshire v. Hodnet, 1 Brooke & H. 322.

So jealously have the rights of the public been protected in England, that there is no instance, since the passing of the great charters, of a grant of free fishery being made by the crown, submitted to by the public, and allowed in a court of justice. We are not aware of any such grants as those in this country having been made in England since the days of John, and certainly there is no English authority for saying that they could be made. In England there neither is nor has been any second opinion on the question. But here most people seem to have laboured under strange hallucinations on the subject, and not to have dreamed, till very lately, of the possible illegality and nullity of the royal grants. In that case of the Duke of Devonshire *v.* Hodnet, no one thought of questioning the grant by James I of the Blackwater, till after a verdict at the assizes for the plaintiff for disturbing his fishery, when the point was mentioned among others as a ground for a new trial, but the court held that the objection then came too late, as *non constat* from the pleadings and evidence, but that James had a *prescriptive* seisin when he made the grant. We have heard and seen it repeatedly stated, that the grantees of the Ulster fisheries established the validity of their claims in several actions in the courts of law, but have neither heard nor seen the grounds on which any court of law did or could uphold them. Ulster not having been reduced into the possession of the English till the reign of James I, the patentees could not allege a grant from the crown in the reign of Henry II, or prescription, which, we may observe again, is the peaceable, undisturbed, and continuous actual *bona fide* possession, not existing merely in fiction and construction of law, from a period prior to the commencement of legal memory, the first year of Richard I, 1189. But, in short, the history of the entire kingdom puts an end to all pretences that the crown had any prescriptive seizin of anything beyond the pale, or rather, beyond the walls of Dublin; and if there were a river in Ireland, the exclusive fishery of which might be prescribed for, it should be the Liffey; yet to it the corporation of Dublin were unable to establish their claims. We are not even aware that, with the exception of the late Limerick case, a prescriptive title to any fishery has been hitherto put forward. As there can be no title by prescription, or grant prior to the first year of Richard I, made out to any Irish fishery, all the royal grants by Elizabeth, James I, and the Charleses, are mere waste paper, and, like all other forms of monopoly, are mere usurpations by fraud or

force on the rights of the public. In no instance but one has their legality been as yet questioned in due legal form, and the main features of that case we now proceed to lay before the reader, as a fair sample of the mode in which the monopolists throughout Ireland have contrived to maintain their pretensions, and of the success which has attended every well-conducted legal attack made upon them.

The corporation of Limerick claimed, as we have already stated, the exclusive fishery of the Shannon for a distance of sixty-three miles,—from their weir above the city to the main sea, under a grant of Elizabeth. We find it stated by the Corporation Inquiry Commissioners that they established this right on a trial at law, at Ennis, one hundred years ago. We mention this merely to show how far men of learning and ability may be misled by not examining minutely into subjects of this nature. When stake-nets were fixed some twenty years back, on the shores of the river, they proceeded against the owners of a few of them under the provisions of the 10 Car. 2, Secs. 3, c. 14, prohibiting the laying down of nets for killing fry, and obtained a decision in their favour from Lord Norbury and the Court of Common Pleas. With the great mass of the people, this created an impression that the decision was not on the illegality, under a statute, of a particular mode of fishing, but on the illegality of any mode of fishing against their exclusive rights. Immediately after obtaining Lord Norbury's opinion in their favour, they proceeded to abate the other weirs in a truly constitutional manner: their fishery inspector, as he was called, obtained from some of them who were magistrates, a warrant to bring before them "all illegal instruments for taking fish, and all fish that might have been taken;" and without further ceremony, proceeded by night, twenty or thirty miles down the river, with a body of police, and broke and tore away all the weirs they met, till towards the dawn of day, when they came to a weir belonging to a Mr. Leslie, and, the alarm having spread through the country, found it protected by a body of yeomanry, who, standing on the shore, levelled their muskets at them, and thus forced them to retire.* Against the poor, however, who had no yeomanry to protect them, this summary process was afterwards frequently pursued. Against those who fished after the ordinary fashion of fishermen, with lines and nets, they adopted an equally efficacious system:

* Rep. of 1825, pp. 57-8.

they summoned them before themselves, or the magistrates of the adjoining counties of Clare, Limerick, and Kerry, and had them fined and imprisoned, as appeared by the convictions produced at the late trial, "for fishing on that part of the river lying between the mouth of the river Shannon, and the great salmon or Lax-weir, known by the name of the Fisher's Stent,"* "contrary to the form of the statute," &c. there not being, in fact, the slightest vestige of any law or statute whatsoever to authorise such proceedings. Had such enormities been perpetrated in England, the magistrates who so abused the offices with which they were entrusted, would have been, in the first place degraded from them by the government, and, in the next, beggared and disgraced by actions and indictments as numerous as their offences. But in this country, there is no disposition to vindicate the dignity of the law when violated in the persons of the poor; and were it not for Mr. Potter, a public-spirited and eminent solicitor of Limerick, the corporation and their justicial puppets might have gone on for ever in the career they had so long followed. Mr. Potter having intimated some doubts as to the legality of these modes of proceeding, the corporation, or rather their lessee,—for they had taken the precaution of having a lessee, so that they might appear, nominally at least, indifferent between the parties coming before them for judgment,—applied to the Master of the Rolls for an injunction to prohibit any one from fishing within the limits of their grant. This modest request, Mr. Potter, on behalf of the fishermen of Limerick, opposed; and the Master of the Rolls after a long argument, refused. The fishermen being emboldened by this decision, and the magistrates somewhat alarmed, the lessee could no longer cause his assumed rights to be respected or enforced, and was thus compelled, at last, to bring his title fairly under the cognisance of a court of law, and commenced an action of trespass against the two poor fishermen named as defendants in the Report of the trial at the head of this paper. The plaintiff claimed the exclusive fishery of the Shannon from the neighbourhood of his weir to the sea, in no fewer than three counts of his declaration; and in one only (the 5th) limited himself to a space of about three miles, "extending from the said Lax-weir in the east part of the said river, unto a certain stream or river nigh Castle Donnell, in the west part thereof." The defendants pleaded that the

* A Report, &c. p. 40.

Shannon was "a public and common navigable river, in which the tide ebbs and flows, and that every subject of this realm of right had the liberty and privilege of fishing therein," and justified the taking of salmon under such right. The plaintiff replied, that "Queen Elizabeth being seized in fee, in right of her crown, of the" *locus in quo*, "and of the several rights of fishing therein," by letters patent, granted it to the Corporation of Limerick. The defendants, in their rejoinder, traversed the seizin and grant, and that they had fished within the limits of the grant. On these pleadings issue was joined. To the trial we looked forward with great interest, as being the first in which the question, as to the validity of the royal grants in this country, was regularly raised; and being likely to be determined in such a manner as to proclaim their illegality and nullity, plainly, satisfactorily, and authoritatively, to the kingdom at large.

In this expectation, we have been somewhat disappointed. The trial was, however, in other respects productive of great and satisfactory results. And here we may observe, that all our statements respecting what was done and said at it are founded on the Report before us, which has been compiled in behalf of the corporation and their lessee, and been published by their printers. The plaintiff's leading counsel, Mr. T. B. C. Smith, who had gone from Dublin on a special retainer, opened with stating that he would proceed only for the fishery claimed in the fifth count, and that the principal question for the jury would be, what was the nature and what were the bounds of it? "We say they are these: that it extends from the great Lax-weir, down the river, to a place which the viewers saw, namely, a castle near Cratloe-more, which is a distance of three or four miles westward on the river, and which has been but recently ascertained as the boundary; and let it be understood that it is this only we claim, and that we do not claim a fishery of sixty miles long in the river Shannon. We claim no such thing: we assert that the Fisher's Stent extends to this point, and I think it extends there and no further, and I am satisfied that I discharge my duty better and more fairly towards my client by confining myself to what I think are the limits of it, and claiming no more than what, in my judgment, Mr. Gabbett is entitled to." (pp. 7, 8.)

Thus the corporation gave up for ever all their pretensions to the exclusive fishery of the entire river, and admitted that they had not the slightest vestige of a title to more than three

or four miles of it, and that there was not the remotest particle of excuse or palliation for the fines and imprisonments which they had caused to be inflicted.

The question as to the right of the crown to appropriate, within time of memory, the fishery of navigable rivers, seems to have been very skilfully avoided by Mr. Smith; who was evidently conscious of the difficulties with which he had to contend. He speaks of the common-law right of fishing in navigable rivers in very intelligible language; but of the manner in which that right may be abridged, by prescription, or usage, or grant from the crown, in language which baffles all comprehension. He tells the jury, however, very plainly, that the three points for them to consider were, "was queen Elizabeth in point of fact seized in fee of that fishery, and, if so, did she grant to the corporation, and what is the extent and boundary of that grant." By the evidence, however, which he offered, he appears to have thought it necessary to prove a prescriptive seizin in fee, and thus endeavoured to meet what he feared would be laid down as law from the judgment-seat. This evasion in statement, and admission in fact, of the general principle of law on this subject, does not appear to have attracted any notice; as we find Mr. Henn, the leading counsel for the defendants, observing, not by way of contradiction or qualification of Mr. Smith's positions, but as if laying down an unquestioned axiom, "So strict is the law in preserving the right of [fishing and navigation] for the subject, that it is now clearly laid down, that the crown itself could not establish a right to exclude the public from fishing in a navigable river, unless the crown had that right prior to the reign of Henry the Second;" and that he did not deny that the crown "had title to a several fishery," but merely that the plaintiff had "shown no title in the crown to anything more than the Lax weir" (p. 55); and the judge finally saying, "as regards the question of law on the subject, it is fortunate we have no difference of opinion whatever. It is exceedingly plain, simple and intelligible, it admits of no dispute, and no dispute has arisen about it." (p. 86.) The defendants' counsel therefore admitted that a title was proved to the great or Lax weir, according to their own views of the law, but denied that it was proved to anything more; and the whole of the trial turned upon the questions, whether Elizabeth was seized of an exclusive right of fishery beyond the Lax weir to Castle Donnell (as claimed in the fifth count); whether she granted it; whether the de-

pendants had fished within its limits; and whether the plaintiff had an exclusive right at all.* With these questions we have no concern. The jury, after hearing speeches and evidence for five days, and being locked up a whole night, separated without agreeing to a verdict.

We regret that we are compelled to differ from the eminent lawyers who were engaged for the defendants, as to the proof of a prescriptive title to the great weir in this case. We cannot understand how they could have imagined that any such title was proved. The earliest document produced in proof of it was a grant in 1202, by king John to William of Bradosa, of the honor of Limerick, "with all its appurtenances, wood, waters, mills, fisheries, &c. &c."—"fisheries" being like the rest, a mere word of form, without reference to any particular fishery. The next document was a grant by John in 1216, of £10 a-year to the Bishop of Limerick, for and in consideration of his claims on "the fishery of Limerick." The third document bore date in 1274, from which it appeared "that a gulph in the waters of Limerick was held at a rent of 100 marks annually by the citizens of Limerick."† It is obvious that the first document was not of the slightest earthly consequence in the consideration of the question then before the court, and even if it were, it is thirteen years posterior to the first year of Richard I and the last of Henry II, 1189. The second document is twenty-seven years posterior to that important legal epoch, and one year to the signing of the great charter (1215). So that here the proof of prescription or possession in the reign of Henry II completely failed; and as this was a claim against common right, there could be no presumptions in its favour. To be maintained, it should be strictly proved. In all the English cases on this subject, the proof has been carried back to the reign of Henry II at the least, and generally to the reign of the Conqueror; an extract from Domesday-book

* As the meaning of the word *gurgies* formed one great subject of contention, and the want of proof of exclusive possession was the only ground of nonsuit relied on, the following observations by Lord Hale, in a similar case, may not be inapposite: "In the Severn there are particular restraints, as *gurgites*, but the soil doth belong to the lords on either side, and a special sort of fishing belongs to them likewise, but the common sort of fishing is common to all."—Anon. 1 Mod. 106. "Weirs, as in Suffolk and Norfolk, may be particular in the main sen, 35 Ed. I, Rot. 18 and Tr., 10 Ed. II, Rot. 83, or on the shore, and yet the fishing may be and is common to all subjects."—Lord Fitz Walter's case, 3 Keb. 242.

† Pp. 9, 10.

being the first document commonly produced.* But supposing even that the jury might be at liberty, from those documents, to presume an appropriation by the crown in the reign of Henry II, the defendants, had they gone into evidence at all, could have rebutted that presumption by producing any history of Ireland or of Limerick:† from which it would appear to the satisfaction of any reasonable being, that neither in presumption of law nor in fact, could there have been any such appropriation.‡ For this reason alone, we cannot understand why the title to the weir should have been admitted.

The legality of this weir is a matter of such importance, that we may be excused for dwelling further on it. It is by such weirs that the monopolists throughout the entire country almost universally exercise their privileges in the most effectual and objectionable manner, and inflict, as we have already shewn, the greatest possible amount of mischief and injury on all classes of the people. The utility, therefore, of abating them requires no further demonstration. As whatever may be said against the Limerick weir will apply to all of them, and many things may be said against them which would not apply to it, we shall direct against it a battery of a few of the statutes and cases of which we are masters, so that when it is demolished, all the others may find it "the better part of valour" to surrender at discretion.

The reader will bear in mind all that we have already said respecting this weir. We shall here merely add, that but for it, the river would be navigable for some distance above it, and that the tide rises to a height of twelve feet at each side of it. It is made of stone piers extending across the river like the piers of a bridge, and lath-work stretched across securely from pier to pier at the western side, or that on which the salmon come from the sea. To every alternate pair of piers there is lath-work affixed at the eastern side also, so as to enclose a complete chamber. There is an aper-

* See *Duke of Somerset v. Fogwell*, 5 B. & C. 875 ; *Williams v. Wilcox*, 8 Ad. & El. 314.

† A general history is evidence to prove a general matter, *Phillips' Ev.* 605.

‡ During his reign it was twice in the possession of his garrisons, who were each time after a short occupation obliged to abandon it. So assured was Donald Brien, who had held it since 1177, of its safety in his hands, in 1194, that he in that year founded the cathedral. In 1195 the English regained possession, but were driven out again by M'Carthy of Desmond. When they next obtained possession does not appear, but in 1199 the city is found under their authority, and governed by a provost.

ture for the salmon to get in, and of course none to get out. Between the other piers there is no passage for them, so that when they push their snouts against the lath-work they are obliged to grope their way aside till they get into these very snug "chambers." Thus this weir stands continually, from morning till night and night till morning during the fishing season. We need scarcely add that it was not erected by "the wisdom of our ancestors" in the reign of Henry II. Up to the winter of 1825-6, there had been on the same site a weir so constructed as not to allow a salmon to pass it, and not having even the passage in the middle required by the statute.* This having been swept away by the floods, the lessee of the corporation replaced it by the present ingenious contrivance. At the trial, there was no attempt made to prove that the present or the old weir was erected prior to the reign of Edward I, and therefore under the provisions of several acts it is illegal merely for impeding the navigation. But if it should be proved to have been erected prior to that reign, and as there can be no proof to carry it back to the reign of Henry II, it must at all events be illegal under the provisions of the great charters and the common law. If, again, it should escape both these ordeals, and be proved older than the reign of Henry II, and not to impede the navigation, it would seem to be illegal according to *Robson v. Robinson*, under the 2 H. vi. c. 15.

The laws against such weirs are plain and intelligible. By the already cited clauses of the great charters they are strictly forbidden; by the common-law they were regarded and prohibited as nuisances.† By the 25 Ed. III, c. 24, it is provided that, "whereas the common passage of boats and ships in the great rivers of England be oftentimes annoyed by the inhausing of gorges, mills, wears, stanks, stakes, and kiddles, in great damage of the people, it is accorded and established, that all such gorges, mills, wears, stanks, stakes, and kiddles, which be levied and set up in the time of king Edward, the king's grandfather, and after, whereby the said ships and boats be disturbed that they cannot pass in such river as they were wont, shall be out and utterly pulled down without being renewed, and thereupon writs shall be sent to the sheriffs of the places where need shall be, to survey and inquire, and to do thereof execution," &c. &c. This was confirmed and extended by the 45 Ed. III, c. 2, and both were

* Fitzgerald's History of Limerick, vol. ii. p. 232.

† 2 Inst. 38.

further confirmed and extended by the 1 Hen. IV, c. 12, and penalties sufficiently severe provided for offenders. By the 2 Hen. VI, c. 15,* "it is ordained that the standing of nets or engines called trinks, and all other nets which be, and were wont to be, fastened and hanged continually day and night, by a certain time in the year, to great posts, boats, and anchors, overthwart the river of Thames, and other rivers of the realm, which standing is a cause of as great and more destruction of the brood and fry of fish and disturbance of the common passage of vessels, as be the weirs, kydels, or other engines, be wholly defended for ever. And that every person that setteth or fasteneth them hereafter to such posts, boats, and anchors, or like thing, continually to stand as afore is said, and be duly thereof by the course of the law convict, shall forfeit to the king one hundred shillings at every time that he is so proved in default; provided always, that it shall be lawful to the possessors of the said trinks, if they be of assize, to fish with them in all seasonable times, drawing and pulling them by hand, as other fishers do with other nets, and not fastening or tacking the said nets to posts, boats, and anchors, continually† to stand, as afore is said; saving always to every of the king's liege people their right, title, and inheritance, in their fishings in the said water." By the 12 Ed. IV, c. 7, all the statutes relative to weirs and fisheries, from *Magna Charta* inclusive, were confirmed and further extended, and still more stringent remedies and penalties were provided. This act enumerates "weirs, fish-garths, mills, milldams, millstanks, locks, ebbing-wears, stakes, kedels, hecks, flood-gates, or other noyances, disturbances, or impediments," which might destroy the brood or fry of fish, cause the flooding of lands, or impede the passage of vessels. All these enactments apply to this country, as by the 10 Hen. VII, c. 22 (Irish), all English statutes "concerning the common weal of the realm of England" were extended to Ireland. There can be no doubt that under all or some or one of them the Limerick weir is a nuisance. In the construction and application of them, we are not wholly without assistance from decisions in England. We shall select a few of these

* In the new and authorised edition of the statutes this is numbered 19.

† "The word *continually* shall be taken continually so long as they may stand to take fish, and as the time of fishing endures, be it in the day or night, for *lex non intendit aliquid impossibile*, for otherwise the law should not be of any effect."—Case of fishing in the river Thames. 12 Rep. 89.

which appear most apposite to, and bear most directly and distinctly on, this Limerick case.

The case of *Hall v. Mason* and others, was, says Callis, "in effect as followeth:—That Queen Mary was seized of the manor of Monmouth, with the appurtenances in that county and of a free fishing in the river Wye, and of a weir and fishyard there, which were erected in the time of the said queen, in the place where an old foundation of an ancient weir did stand. This weir had been letten by the said queen, and also by Queen Elizabeth, under the seal of the said duchy, by yearly rents; and so there were ancient precedents shown in that court. . . . So that it was manifest that it was an ancient weir time out of memory. And this weir and fish-yard, and the profits of fishing were letten by the king's majesty, that now is" for thirty-one years, at 6*l.* 13*s.* 4*d.* per annum. In the nineteenth year of James I, a jury, impanelled by the commissioners of sewers, "touching this weir and fish-yard," "gave therein a verdict to this effect: that is, that Benedict Hall, the complainant, was possessed of the said weir, called Monmouth weir upon the river of Wye, which was excessive high and hurtful, and was an impediment to the common passage of boats, barks, and ballengers up and down the said river, and by means thereof they could not pass but in great danger, which, if the said weir were not, boats of two or three tons might pass the river; and that the said weir had been the death and drowning of one of the king's subjects, and is the cause of the scarcity, dearness, and want of salmon and other fish within the said river, by reason many of them were taken in gins of the said weir when they were out of season, and that the same was a great abuse, wrong, enormity, and annoyance to the whole country." In consequence of this verdict, the weir was removed; but on proceedings being instituted in the duchy court of Lancaster, at Westminster, against those who, by the warrant of the commissioners, had thrown it down, the judges were of opinion, "That the said weir, being an ancient weir by prescription and custom, it ought not to have been overthrown by the decree of the commissioners of sewers; and that the said verdict of the jurors was defective, because, though they presented the said weir to be over-high and enhanced, yet in regard they did not present, *in quanto* nor *in qua parte*, the said weir were enhanced above the ancient size, therefore, they esteemed the said verdict of no validity."*

* Readings on the statute of sewers, p. 262.

In this case, it appears to have been the opinion of the judges and Callis, that the only ground on which this weir could be upheld was, that it was "an ancient weir by prescription and custom,"—"an ancient weir time out of memory."

Robson v. Robinson is thus reported by an eminent lawyer: "Case for injuring the plaintiff's fishery in the river Eden, in the county of Cumberland, by erecting a weir and stells, &c. across the river, below the plaintiff's fishery, which prevented the fish from passing up the river to the fishery of the plaintiff. Plea—not guilty. At the trial of the case at Carlisle, before Buller J., the plaintiff proved his title as laid in the declaration; and the defendant, who was the lessee of the Corporation of Carlisle, to whom the fishery was worth 800*l.* a year, tendered evidence to prove an immemorial exercise of the fishery by the corporation, and their lessees in the manner complained of by the plaintiff. The plaintiff thereupon insisted that such a fishery was illegal by statute (2 Hen. VI. c. 15) which prohibits weirs. The defendant contended that the act only applied to navigable rivers, and that the object of it was only to preserve the navigation and to prevent the destruction of the fry, neither of which injuries was proved to have occurred in the present case. It was also objected that the action would not lie, as it was an action brought for a public nuisance. Buller held that the statute was decisive of the question, and that it rendered the fishery claimed by the defendant illegal, and he directed a verdict for the plaintiff."* A new trial was moved for and granted, because the court thought it necessary "for the purpose of putting the facts into a special verdict." On that occasion Lord Mansfield said, "As the case now comes before the court, it must be admitted that the weir has stood from time immemorial: that it does not interrupt the navigation: that it does not destroy the spawn or fry of fish, and that it is not perpetual;" and Mr. Justice Buller—"I agree that there should be a new trial for the purpose mentioned. It may be a great question if it comes to the construction of the act; but if it turn out that the defendant has not used this weir immemorially, that point will not arise."† Here it may be perceived, that the points relied on in favour of the corporation were, that the weir had been used by them from time immemorial—that the Eden was never navigable beyond it—that

* 3 Dougl. 307-8.

† Id. 309.

it did not prevent the navigation, or destroy the brood or fry of fish, and that it was not perpetual. Could all these be advanced in favour of the Limerick and the other monopolist weirs in this country? Notwithstanding all these points, the judges intimated their opinions so decidedly that this weir was a public nuisance, that though the motion for a new trial was granted, the defendant proceeded no further with it, and allowed the stells to be abated.* Lord Ellenborough, who, as Mr. Law, had appeared for the defendant on the motion for the new trial, said in reference to it in delivering judgment in *Weld v. Hornby*, "I remember that the stells erected on the river Eden by the late Lord Lonsdale and the corporation of Carlisle, whereby all the fish were stopped in their passage up the river, were pronounced in this court, upon a motion for a new trial, to be illegal and a public nuisance; and Lord Kenyon said no man can claim an estate in a public nuisance."†

This case of *Weld v. Hornby*, may be also noticed. It was an action for erecting a stone weir across the river Ribble, by which fish were prevented from coming to the plaintiff's weir in the upper part of the river, this stone weir having been recently erected, instead of a brushwood weir, which had existed there from time immemorial, but through which it was possible for the smaller fish to escape. The defendant set up a grant in the reign of James I, of a water-corn mill, and the liberty of taking in all seasons the salmon in the river and all other fish, with a right to a weir across the river, not limited in terms as to height or breadth. The jury found for the defendant on the ground of the usage, possession, and old grants. The verdict was set aside, Ellenborough, C. J., saying—"It is impossible to sustain this verdict. The right set up by the defendant to have a stone weir, is plainly founded on encroachment. The erection of weirs across rivers, was reprobated in the earliest periods of our law. They were considered as public nuisances. The words of Magna Carta, are, that 'all weirs from henceforth shall be utterly pulled down by Thames and Medway, and through all England,' &c. And this was followed up by subsequent acts, treating them as public nuisances, forbidding the erection of new ones and the enhancing, straitening, or enlarging of those which had aforetime existed."‡ . . . "And I believe

* Second Rep. of 1825, p. 140.

† 7 East, 199; 3 Smith, 247.

‡ 7 East, 199.

there does not exist in Great Britain a single undisputed weir in any river, built entirely across the river.”*

These statutes and cases require no commentary from us; and are, we imagine, sufficiently intelligible and apposite, to exonerate us from the imputation of presumption, in doubting the propriety of admitting the legal title of the corporation of Limerick to what would seem to be nothing better than a public nuisance; and there are few lawyers, we believe, who would say that there is a weir in any navigable tidal river in the kingdom deserving of any other character.

The patentees have some colour of law for their pretensions, but those who claim the exclusive fishery of the sea and tidal rivers, merely because they happen to have lands adjoining either, are the most shameless plunderers in existence. A few sentences will be sufficient to dispose of them. That the shores of the sea, or a navigable river, belong not in presumption of law to the owners of the adjoining land, has been expressly decided, in *Rex v. Smith*, 2 *Douglas* 441. The right of the subject in respect of the adjoining land extends to the edge of the high-water-mark of the ordinary or neap tides,† and can extend to the low-water-mark only by grant beyond time of memory, or prescription.‡ The shore is that part of the land adjacent to the sea, which is alternately covered and left dry by the ordinary flux and reflux of the tides.§ In other words, the rights of the proprietor of the adjoining land, do not extend an inch beyond the highest ripple of the ordinary tide. So jealous is the law of the rights of the public over the soil and waters of the sea and its branches, that every one may fish in the sea, of common right, though it flows on the soil of another;|| and may justify going on the land adjoining the sea to fish, “for this is for the commonwealth, and for the sustenance of many, and is the common law;”¶ and to such an extent has this doctrine been carried, that if a tenant’s land be overflowed by the sea, he will be at once entitled to an apportionment of the rent, as every one can fish on it as well as he.** It would argue a very profound and singular ignorance of the history of this country, to sup-

* 3 *Smith*, 247.

† Hall, “*Essay on the Rights of the Crown on the Sea-shores*,” p. 13.

‡ Hale on *Maritime Law*, part 1, c. 5; Callis, p. 53.

§ Hall, p. 8.

|| Schultes’ *Aq. R.*, citing *Mod. Ca.* 73; 6 *Com. Dig.* 55.

¶ “*Car ceo est commun welth et pur sustenance de plures, &c., et est le commun ley quod fuit concessum.*”—*Bro. Ab. tit. Customes*, 46.

** Rolle’s *Ab. title, Apportionment*, 236 C. 2.

pose that its present landed proprietors enjoy any privileges over the sea and its branches by prescription; and yet they blush not, contrary to every principle of law and justice, to appropriate to themselves the fishery of the sea and its branches adjoining their lands, as if it were part and parcel of their inheritance.*

Having now pointed out the illegality of the pretensions of the patentees and other monopolists, it only remains for us to indicate the means by which the people may redress themselves. Against the weir-owners they may proceed by indictment, information, action, &c. &c.; and those who prevent them from exercising their common-law right of fishing at lawful times and in a lawful manner, they should compel to prove their title in a court of law. It only requires that the people should know their rights and assert them, to get rid of this enormous injustice. The abandonment in the Limerick case, of the claim to the exclusive fishery of sixty miles of the Shannon, proves how much may be gained by an appeal to the law. At the Kilkenny assizes of 1835, Mr. Arthur French, in behalf of the Wexford fishermen, proceeded by indictment against the proprietors of weirs on the Nore, which had till then been considered legal, and they at once pleaded guilty.† If similar attacks be made in other quarters, similar results will follow. The monopolists have neither law, nor justice, nor public policy, nor public feeling, nor party interests to sustain them, and must strike at once, if properly assailed.

We cannot close this paper without expressing, on behalf of our countrymen, the gratitude which is due to the three or four gentlemen who, out of all our millions, have distinguished themselves by their active legal hostility to the claims of the monopolists. The only persons whose names we could find so honoured in the reports of the committees and commissioners, are the Rev. Mr. Staples, rector of Moville, in the barony of Inishowen; Mr. Alexander Orr, of Aghadowhy; and Mr. Arthur French, whose name requires no addition. The Rev. Mr. Staples has been for several years past opposing the claims of the northern monopolists to the exclusive fishery of the Foyle. Did all the ministers of his church exhibit similar zeal in vindicating the rights of their oppressed countrymen, they would be amply

* They also appropriate the slob, sand, sea-weed, &c. &c.

† Rep. of 1836, p. 66. It is not stated under what law he proceeded. The 28 H. VIII, c. 22, applies specially to the Boyne, Nore, Suir, and Rye.

repaid by the love and gratitude of those who, for their sakes, would forget the system of which they are the instruments. Of Mr. Orr we have already mentioned all that we found concerning him in the reports before us. Mr. Arthur French has for many years devoted his professional services to maintaining the rights of the poor fishermen of Wexford; and their gratitude, and the satisfaction of having done his best to promote their welfare, have been the only rewards which he has sought or received. To this list must we add the name of Mr. Potter, whose services, though last in chronological order, are probably first in the national importance of their results. Were we aware of the exertions of any other persons in this cause of justice and charity, we should, for a multitude of reasons which it is needless to enumerate, gladly name them. We regret extremely that those who have exerted themselves in it are so very few. Perhaps this has arisen in a great measure from each person considering the monopoly in his own neighbourhood not as part of a general system, but as a mere local grievance, and furthermore as sanctioned by law. But now that we have pointed out its national extent and its illegality, and shown how it may be suppressed, and how its suppression will be the means of at once giving food and employment to some hundred thousands of our countrymen, we trust that the numbers who will devote their energies to its suppression will be soon past counting, and that the people at large will be restored to the rights to which by every law divine and human they are entitled. May these anticipations be speedily realized, and may their realization be the forerunner of a train of practical plain plodding thought and action, which will enable our countrymen to enjoy as much as possible of the homely solid comforts which Providence has so bountifully placed within their reach, but of which human policy has hitherto but too successfully defrauded them.

ART. V.—*Scriptorum Veterum Nova Collectio, e Vaticanis Codicibus Edita ab Angelo Maio, Bibliothecæ Vaticanæ Præfecto.* Vol. I.—X. Romæ: 1831-8.

THERE can scarcely be one among our readers who is not acquainted with the invaluable fragments of Cicero *De Republica*, published many years since by Mgr. Mai, and reprinted several times, both in England and in different

parts of the continent. But his previous publications, while prefect of the Ambrosian Library at Milan, are less known in these countries; and his subsequent labours in the Vatican, both before and since his elevation to the cardinalate, of which this was but an inconsiderable instalment, have been permitted to proceed, if not entirely unobserved, at least without any such record as their magnitude and importance deserve. Circumstances have so much delayed our own long intended notice during the progress of his publications, that we feel the subject has now outgrown our power—*magnitudine jam laborat sua*; and we can hope to do little more at present than direct towards it the personal attention of those among our readers to whom it is not already familiar.

The "Vatican collection of Ancient Authors," cited at the head of these pages, comprises little more than one half the publications of this extraordinary man. Although these ten quarto volumes average from seven to eight hundred pages each, yet, even amid the cares and duties of the cardinalate, in which he is distinguished by his activity and zeal, his eminence has found time to issue *pari passu* from the groaning presses of the Propaganda, ten similar volumes in royal octavo, equally recondite and miscellaneous in their contents! Several new volumes, among which are the works of Sophronius, are, we understand, now ready for the press; and the most interesting of all, the celebrated *Codex Vaticanus*, is, we believe, already printed, and on the very eve of publication.

The reader who has no means of judging of the work beyond the vague impression created by the vastness of its bulk, and the incredibly short time* in which it has been prepared, may form hence, notwithstanding, some conception of the labour which it must have cost a single unassisted editor. But when he has minutely examined the collection itself, the character of the works which it comprises, and the sources from which they are derived; when he has discovered that its extent is even inferior to its learning; that as much apparent pains have been devoted to each part, as though it alone had been the object of the editor's care; and that the translations, prefaces, and illustrations of a single volume might well be the fruit of many years' study—it is only then he can estimate the merit of this prodigious monument of human diligence and learning, and the obligations which

* From 1825 (when the first edition of the first volume was published) till 1838.

literature owes to the indefatigable mind by which it has been raised.

Nor is it the extent of the collection alone, but the vast variety of subjects which it embraces. There is no department of human learning which, in its extensive range, has not received some important contribution. Literature, sacred and profane—Greek, Latin, and Oriental—eloquence, poetry, jurisprudence, and, above all, history, have each its own place; and the illustrious editor appears equally at home in all. Since the revival of letters in the fifteenth century, and the first outpouring of the wealth of the ancients after the discovery of printing, it would be difficult to find a period in which the united efforts of the entire republic of letters have done so much for the extension of its domain, as a single individual has thus accomplished, unaided, within the space of a few brief years. We have said, unaided; because in this immense undertaking Cardinal Mai has relied exclusively on his own resources—himself arranging and deciphering the manuscripts—transcribing them with his own hand—himself executing all the translations (in some instances poetical) which accompany the text, as well as the copious notes by which it is illustrated—in a word, all, even to delineating with his own pencil the accurate and beautiful fac-similes prefixed to each of the volumes! It will scarcely be credited, and yet it is literally true; the only assistance which he received, being in the treatises of Sedulius, Decorosus, and Luculentius, (an inconsiderable part of the ninth volume) which were copied from the MS. by the amiable and learned Father Theiner, to whose personal services the cause of religious literature is already so deeply indebted.

It will be easy therefore to perceive the impossibility of giving, within the limits at our disposal, any account, however meagre, of the entire work: and indeed a bare enumeration of the contents would far exceed them. We propose to confine ourselves chiefly to one single department, more illustrative than the rest, as well of the difficulty of the task, as of the singular and unexampled endowments of the venerable author. We have selected, therefore, the second volume, for two reasons:—first, because its principal subject, history, will, we presume, be found most generally interesting: and secondly, because it supplies the most remarkable example of the peculiar triumph of Cardinal Mai's genius—the restoration to the world of the learning hidden in the PALIMPSESTI or *codices rescripti*—until his time almost univer-

sally regarded as lost, hopelessly and for ever. Perhaps it may not be inappropriate to premise some account of the nature and origin of the palimpsest parchments, whose discovery has opened a new era in the history of literature.

We can easily conceive the enthusiasm with which a mind like Cardinal Mai's has devoted its whole energies to this novel study. There is something peculiarly interesting in the fate of one of those mysterious volumes—uninscribed sepulchres of the unknown or forgotten heroes of old. To unbury and identify their remains—to reunite their withering and fleshless skeletons, and call back the spirits which have slept for ages, is a sort of literary daring, which must charm by its very boldness and singularity. It is to push letters beyond their natural, or at least prescriptive limits; to open a converse forbidden to less gifted or less enterprising spirits, and, by a sort of intellectual necromancy, to hold the entire world of shades at our command. Who is there that would not covet the glory of the enterprise—

Pandere res alta terra et caligine mersas!

The practice of writing a second time on a parchment or papyrus already used, had its origin in the dearth and scarcity of writing materials. It is extremely ancient, and not without examples even amid the wealth and luxury of Rome. A paper of coarse material, called *palimpsestus*, was manufactured for the purpose, and in one of Cicero's letters to Trebatius,* there is a playful, but homely enquiry, suggested by his correspondent's having written on a palimpsest parchment. It does not appear, however, to have prevailed to any considerable extent during the classic times. The comparatively abundant supply of papyrus from the Egyptian market,¹ obviated the necessity of what was, at best, a troublesome expedient; and perhaps it was confined to the uses of a modern blotting-book—for memoranda, or the first draft of literary compositions. But, at a later period, when the division of the Empire rendered the intercourse with the East more difficult and irregular, and thus diminished the supply of this valuable material, the practice seems to have been more generally adopted, and on a larger scale. Meanwhile, in the anarchy consequent on the inroads of the barbarous conquerors of Rome, the peaceful arts, and among them, the manufactures, were interrupted and dwindled away;

* Cic. Fam. vii. 8.

and when, eventually, the successes of the Saracens in the East deprived Europe entirely of the papyrus, the art of reparing parchment already used, furnished almost the only substitute within the reach of the less opulent classes.

Such is the origin and history of this very singular practice. It is unnecessary to enter into the speculations of antiquarians as to the period at which it came into use, and that at which it was abandoned. From the eighth till the fourteenth century, when the unhappy causes to which we have referred were most rife, it is found to have prevailed more than at any other period; and these unfortunate circumstances of the time have furnished occasion to an accusation against the monks of the Middle Age, industriously exaggerated by those, who, blind to all the excellencies of this remarkable period, love to dwell only on its darkest and most unpleasing features, and can see nothing but superstition and barbarism in its most faultless institutions. Our readers, we doubt not, have met it a hundred times in some of its many forms. The following extract from D'Israeli's *Curiosities of Literature*, seems to embody them all.

"The works of the ancients, were frequently destroyed at the instigation of the monks. They appear sometimes to have mutilated them; for passages have not come down to us which once evidently existed; and occasionally their interpolations and other forgeries formed a destruction in another shape, by additions to the originals. They were indefatigable in erasing the best works of the most eminent Greek and Latin authors, in order to transcribe their ridiculous lives of saints on the obliterated vellum. One of the books of Livy is in the Vatican, most painfully defaced by some pious father for the purpose of writing on it some missal or psalter, and there have been recently others discovered in the same state. Inflamed with the blindest zeal against everything pagan, Pope Gregory the Seventh* (!) ordered that the library of the Palatine Apollo, a treasury of literature formed by successive emperors, should be committed to the flames. He issued this order under the notion of confining the attention of the clergy to the holy scriptures! From that time all ancient learning which, was not sanctioned by the authority of the Church, has been emphatically distinguished as *profane* in opposition to *sacred*†." * * *

"Ignorance and barbarism unfortunately seized on Roman manu-

* This calumny, which we have already refuted (vol. v. 63, *et seq.* "Prejudices of Early Education"), is here ignorantly transferred from St. Gregory I to Gregory VII! In the index, to which we had the curiosity to refer, Gregory VIII is made to bear the obloquy.

† "Curiosities of Literature," tenth edition, p. 18.

scripts, and industriously defaced pages once imagined to have been immortal ! The most elegant compositions of classic Rome were converted into the psalms of a breviary, or the prayers of a missal. Livy and Tacitus "hide their diminished heads" to preserve the legend of a saint, and immortal truths were converted into clumsy fictions. It happened that the most voluminous authors were the greatest sufferers ; these were preferred, because, their volume being the greatest, most profitably repaid their destroying industry, and furnished ample scope for future transcription. A Livy or a Diodorus was preferred to the smaller works of Cicero or Horace."*

To objections of this class we have never attached much importance. No one ever denied that, owing to causes over which religion certainly exercised no control, profane literature was little cultivated, or entirely neglected during the Middle Ages. But he would be a very superficial reasoner who would draw from such a fact a conclusion unfavourable to religion ; and we are so accustomed to meet in our popular writers, declarations similar to that cited above, that we have learned to regard them with indifference. But, perhaps, while we are directly discussing the question, it may be well to show how grossly these and similar statements are exaggerated, and how imperfect, or rather how completely defective, is the evidence by which they are brought home to the monastic body. The case is simply this. Many of the ancient classics have been entirely lost ; scarcely any have come down to our time unmutilated. Now a few morsels of some of these have been discovered under writings evidently monkish. It is equally evident, that the ancient MS. of the pages thus re-written was defaced in order to make room for the modern. Hence it is at once concluded, that *all* this destruction is the work of the monks—and all the result of their conscious ignorance and consequent hatred of the ancient learning. Such, in substance, is the simple argument, divested of the declamation in which its shallowness is concealed.

Now let us see what should be proved, in order that this conclusion may be legitimately deduced. It should be shown, in the first place, that this wholesale system of defacing ancient MSS. was entirely, or in great part, attributable to the monastic bodies, or executed by their orders. It will not be enough to show that the monks sometimes themselves obliterated the old writing, or even that the modern manuscript is generally monkish ; because the first would not warrant a

* "Curiosities of Literature," p. 7.

universal conclusion, and the second would be perfectly compatible with the supposition (which we shall show to be most probable), that the system was carried on, chiefly for the purposes of traffic, by the book and parchment venders. Secondly, it should be proved, or at least some evidence should be adduced to make it probable, that the monastic scribes were in the habit of destroying, for the sake of the parchment, *perfect* works existing in their libraries. It is not enough that they wrote *de facto* upon the remains of the classical authors; for it might be, that they used only those copies which, from time or the violence of barbarian hands, had been so mutilated as to be of little value, and spared all which were in a condition at all approaching to completeness. Thirdly, in order to establish the blackest of the charges, namely, the hatred of literature, it would be necessary to show that all this was done with malice prepense, or even with a knowledge of the fewness of the extant copies of classic authors. Nothing short of this will substantiate so sweeping a charge.

Now, whatever the case might have been before the examination of palimpsests, and while their contents were still a subject of speculation and of conjecture, the discoveries of Cardinal Mai, and the investigations of other literary men, far from showing that all or any of these may be demonstrated, all tend to establish the very contrary.

In the first place, it appears quite certain that the parchment venders repurchased the old manuscripts as an article of commerce; their ordinary title *pergamenarius* is employed in this signification;* and that it was done upon a large scale we may easily suppose, when we find that even the early printers sometimes used the repolished parchment instead of paper.† Besides, it is abundantly evident that the copyists of the monasteries were not the only patrons of the practice. We sometimes find mere official documents (*diplomata*, see preface of *Cicero de Repub.* xxxi.) written upon the palimpsest. Very frequently the dispossessed MS. is of a sacred character, which it is not probable the monks would sacrifice; and, above all (what must be conclusive with those who represent them as enemies of classic literature), it is frequently found

* See Ducange, v. 366. The fact is admitted by the best authorities. Edinb Rev. xliii. 375.

† As for example Nicholas Jenson, in his edition of the Clementine Constitutions, 1476. See *infra*, p. 404.

to have been erased in order to make room for a profane successor—for the very classics which the monks have persecuted with such implacable animosity! Not to multiply examples, Dr. Barrett's well known Gospel of St. Matthew was the ground of a palimpsest; Wetstein's readings of the *Codex Ephremi* were found under the works of the father from whom the MS. is called; a work of the schismatic Photius was found written over the *Sacrarum Rerum Liber* of Leontius; even a book of liturgies is displaced to make way for Bede's work, *de Temporibus*;* while, on the other hand, the version of Ulphilas is profanely erased for the comedies of Plautus, and the *Medea* and *Edipus* of Seneca;† the odes of Horace are written over a book of pious homilies,‡ and even St. Gregory the Great himself is recklessly sacrificed to supply paper for a copy of the *Æneid*, and an ancient commentary on its beauties.§

This is further confirmed by the miscellaneous character of the scraps of which we frequently find the palimpsest MSS. composed. Sometimes a few stray leaves of palimpsest are met among the sheets of a large manuscript. Sometimes scraps of three or four different books,—often in different languages,—are joined together to fill up a volume, when the clean parchment had failed. Oftentimes the entire is made up of patches of the most unconnected kind, all incomplete in themselves, and all independent of each other; nay, occasionally the same palimpsest will form portions of two different manuscripts, and in different libraries! Thus, in the examples already quoted, the Gospel of St. Matthew was mixed up in the Barrett palimpsest, with the works of St. John Chrysostom, a portion of Isaiah, and several other less important fragments. Cardinal Mai's *Ante-Justinian Code*, was used, along with two other similar scraps, to supply the deficiency of parchment in a half-finished manuscript; the version of Ulphilas was found in the same palimpsest with a portion of the Bible in Greek, some straggling leaves of the works of Galen, and several other patches of less interest; while the palimpsest of *Fronto* was discovered, partly in the library of Milan and partly in the Vatican. May it not fairly be concluded, from facts like these, either that the dearth and rarity of parchment made the palimpsest an object of traffic with the traders, whose collections were thus of a most miscellaneous

* Vat. Col. iii. part 2, p. 248.

† Vat. Col. iii. part 2, p. 190.

+ Horne's Introd. ii. 95.

§ Published by Card. Mai. Milan: 1818.

character? or, at least, that the monastic copyists did not deal in that wholesale and reckless destruction of *perfect* MSS. which their enemies ascribe to them? But, in truth, there is not a single palimpsest which does not confirm the latter supposition. For, unhappily, *all* are found, when deciphered, deplorably defective; and by far the greater number in such a mutilated state,—without beginning or ending, or any evidence of integrity,—as to make it almost incredible that they had not already, when taken asunder for the purpose of rescription, been in a state of hopeless mutilation.

But, in the third place, even were the fact established, it would still be far from proving any formal hostility, or perhaps indifference, to literature. There is a wide difference between defacing a single copy of an author, and recklessly consigning his works to utter destruction. We can conceive the case of a simple monk, blotting out a few sheets, of perhaps questionable poetry, to write out a new breviary, of which he happened to stand in need; or copying for the meditations of his community, the homilies of St. Gregory, or the confessions of St. Augustine, over the works of Cicero or Livy; without ever dreaming that he was thus robbing posterity of the works of the unlucky author, to whom chance or necessity directed his hand. In those troubled times the intercourse of the learned was necessarily precarious and imperfect. It was difficult, if not impossible, to ascertain the state of the different libraries, and to determine, by comparison, the number of copies extant of any particular author. It is well known that they were believed much more numerous than, unhappily, the event proved them to be. Who could have imagined that the history of Livy, which had been in the hands of all the world, would have come down to us curtailed of its largest and most valuable part? Still more, that Tacitus, whose works were placed in all the libraries by order of his imperial descendant, with an order that ten copies should be made each year, would have owed his preservation, all mutilated as he is, to a single copy saved from the ruin of its fellows, in a monastery of Westphalia? Impressions such as these, would naturally render men indifferent to the fate of a single copy; little dreaming that, with its preservation, was wound up the destiny of that author of whom it now remained the last and only representative.

But without dwelling farther upon an assertion, which, if restrained by no better feeling, might well have been stayed by the recollection of the many undoubted services of the

monks to literature, we shall merely observe that unhappily there is no need of such theories in order to account for the losses which we must all deplore. The violent dismemberment of the Roman Empire, the fierce contests by which its breaking up was succeeded, the anarchy and revolution which for ages upturned again and again the entire system of society in Europe, and rendered the tenure of peace, even while it endured, always precarious and unnatural, make it rather a matter of surprise, that, even in the peace of the cloister, so much should have escaped the universal ruin. When we remember how few books, out of the many thousands printed in the fifteenth century, have, with all our love of literature, come down to our day; how many editions have wholly disappeared, scarcely without a trace of their existence; can we wonder that, among the comparatively small number of perishable manuscripts, very many should have been destroyed during centuries of turbulence and revolution! And even in better times, since the revival of letters, how much has been lost by the thousand chances to which all human things are exposed! How much was destroyed in the very effort to restore it to the world! Petrarch had seen in his youth the works of Varro and the second decade of Livy; he himself had a copy of Cicero's treatise *De Gloria*: all have been irrecoverably lost. Cardinal Mai enumerates from a MS. of no great apparent antiquity, containing the catalogue of a library at Constantinople, the complete works of Dion, Sophocles, Euripides, Aristophanes, Menander, Philemon, and Euclid. There were traces in the fifteenth and sixteenth centuries of several copies in different countries of Cicero *De Republica*; and Cardinal Pole expended two thousand pieces of gold in the attempt to recover it. Who can say what treasures perished in the partial destruction of the Pinellian library? in the shipwreck of Guarino Veronese's noble collection? in the pillage of the Vatican in 1527? nay, in the early editions of the first published books, which were sometimes printed upon repurchased parchment? Even at home, in England, who shall pronounce on the amount of loss sustained in the pillage of the suppressed convent libraries, "over which John Bale weeps. Those who purchased the religious houses, took the libraries as part of the booty, with which they scoured their furniture, or sold

* Peignon, "Essai sur l'Histoire de Parchemin," 83-84.

the books as waste paper, or sent them abroad in ship-loads, to foreign book-binders."* Alas, alas, there are too many causes to divide with the monastic scribes the guilt of this literary delinquency, that their share of blame should lie heavily upon their memory.

And on the other hand, it may fairly be doubted whether this obnoxious practice has not proved, upon the whole, rather beneficial than injurious to the interests of literature. It is not improbable that the manuscripts selected to be rewritten, being thus rendered objects of more every-day attention, were preserved with greater care from the fate to which, if spared, they were exposed in common with their fellows: the very attempted destruction, like the lava which overwhelmed Herculaneum, becoming eventually the instrument of their preservation. Luckily, in many cases, from the tenacity of the ink employed, the copyist failed completely to obliterate the original writing, and a few faint and straggling lines may still generally be observed beneath the heavier character of the modern manuscript. But the appearance of these *codices rescripti* is far from being uniform, owing to the different degrees of care bestowed on the preparation of the parchment. In some it would appear that hardly any pains had been taken to efface the original writing. Others were carefully washed with a sponge or wet cloth; and we have seen some which bear abundant evidence, besides, of the use of the scraping-knife (*rasorium*), or some other sharp instrument, which the polish of the pumice-stone has failed to remove. The form and size of the letters also varies very much, and the new lines sometimes cross, but more frequently run parallel to the old. But in general, whatever their minor varieties, the yellow and discoloured ground, the frequently invisible characters of the old writing, and the distracting prominence of the new, all combine to fatigue the eye and embarrass the task of deciphering the original. It will be remembered, too, that, at the epoch to which most palimpsests are referred, the practice of dividing words and sentences had not been introduced; and the perplexity incidental to this under every contingency, is materially increased in a text so mutilated as that of a palimpsest must necessarily be. Cardinal Mai has given some curious examples of the embarrassments thus occasioned, in the preface of his *Cicero de Republicâ*.

* "Curiosities of Literature," p. 18.

But it were well if these, and such as these, were the only difficulties which the editor of a palimpsest has to encounter. The following extract from the same preface will show that, in most instances, they are, perhaps, the least important.

"The disorder of the leaves of the palimpsests arose from their being ordinarily moistened, washed, and afterwards scraped, in order to be prepared for the new writing. The leaves, therefore, were taken asunder, handled by the artists, polished, and afterwards dried, in order to be prepared for the new volume, whence the obscurity and defacement of the old writing, render it impossible, as its antiquated form makes it inconvenient, to preserve the same order. But lo, another disaster! The borders of the old leaves are, in the necessities of the new arrangement, pared around, or the sheets are folded anew, or the pages are cut in the middle. The ancient method of putting a book together, was the same which we follow since the invention of printing: the book was not composed of single and separate leaves, but of a certain number of sheets. These sheets, in proportion to the number of pairs of leaves which they contained, were called *duernio*, *ternio*, *quaternio*, and *quinternio*. Sometimes we see these different kinds of sheets mixed in the same manuscripts. A numeral mark is generally written upon the last page of every sheet; sometimes, but more rarely, it occurs in the first; and we find both usages retained by the early printers. Whoever arranges a MS., therefore, must first apply himself to restore the straggling leaves to their several sheets, and then dispose these according to the order of the marks. This, though it may easily be done in a perfect MS. is much more troublesome in a mutilated and damaged one, as most of them are. For what if the mark be obliterated? if the last leaf of the sheet is wanting? What again, if several intermediate leaves have perished, so that, the connexion being destroyed, you may perhaps, if the mark is preserved, know the order of the last leaves, but are uncertain in which sheet the intermediate ones should be placed? Add also this inconvenience, that the folding of the leaves is frequently inverted. Sometimes, indeed, if the MS. be taken asunder, this may be detected by certain marks of the parchment: but generally it must be discovered from the context of the subject. What again, if several or all the leaves are single? And so it is in all those MSS. in which a pair of leaves is made out of one of a larger size. In all this, we must constantly keep our attention fixed on the continuousness of the subject, with which guide we sometimes may almost dispense with every other mark. But though this connexion is often very evident in historical works, in philosophical or oratorical, it is somewhat more involved;—and not so much indeed in perfect writings, but exceedingly in defective or obliterated."—pp. xxxi.-iii.

What a literal exemplification of the *disjecta membra poetæ* ! Add to this irksome and fatiguing investigation, the perplexity arising from the blunders of the transcriber, and you will readily acknowledge with Cardinal Mai, all enthusiastic as he is, "that the path of these ancient authors indeed requires to be cleared of many a thorn, and many a bramble !"

But, although the palimpsests are, generally speaking, much more legible than it would have been deemed possible, yet, in some cases, the artist has succeeded so completely in his work of obliteration, as to render the task of deciphering all but hopeless. In such a case the student has need of all his patience and all his perseverance. If he would follow in the footsteps of his illustrious and venerable predecessor, he must not be discouraged at the prospect of toiling for an entire hour over a sentence, or even a single word; he must often be content to suspend his labours according to the vicissitudes of the weather, deferring his toilsome task from noontide to noontide, and labouring only in the brightest hours of the brightest days; he must be prepared to bear up against every failure, to be stimulated by every success, however trifling, and to think no labour too great which conduces, even remotely, to the attainment of his object. Truly

"Qui studet optatam cursu contingere metam
Multa tulit fecitque puer, sudavit et alsit !"

The cardinal has recorded, in several of his prefaces, the details of the entire process, with all its hopes and fears: its successes and disappointments, from the first discovery of the MS. till the final delivery into the printers' hands. But it is only an examination of the palimpsests themselves that can enable us fully to estimate its difficulty.

"There is, in the recesses of the Vatican Library, a Latin parchment MS. written partly in square letters, of about the eighth century. It is numbered 5776, and contains the Conferences of the Hermits of Egypt, written by Cassian. It wants the beginning, as we are apprised in the catalogue of this library itself, commencing with the fourth conference (of which, however, the first words are wanting) and ending with the tenth, the MS. thus containing about a fourth part of the work. On examining the text of this Cassian, I thought it very good, and discovered in it many various readings, by which this book, which has often suffered from the preposterous judgment of critics, is rendered much more pure, and of an orthography more consonant with its age. Nor, indeed, would it be an unuseful service to Christian philology, if one would undertake, by the aid of this Vatican MS. to amend and purify the text

of these pious Conferences of Cassian. It appears quite certain that this MS. came to us from the library of Bobio, although it has not the mark of that monastery ; because, as I said, the first leaves are lost. But in reality, the Conferences of the Fathers are enumerated in an ancient catalogue of the library of Bobio published by Muratori. The form, too, and decoration and ornament, as well as the vicinity of the other manuscripts of the library of Bobio, all proclaim it to be of that origin. And this is the more evident, because the remains of the Theodosian code, which are preserved in it, along with the more ancient law (of which we shall have occasion to speak hereafter), appear to be written in the same hand with a part of the Turin fragments of the same code, the sheets of which we know to have come from the monastery of Bobio.

“ The MS. consists in all of a hundred sheets, forty-three of which were never used until the Conferences of Cassian were written upon them ; the rest belong to that class of parchments, which having been written upon at a very early period, were afterwards consigned to destruction ; the older writing being washed out in order that they might be prepared for new. The monastic copyist made up the clean sheets of parchment into volumes of an oblong form ; and, when they failed, took three MSS. of civil law asunder, and having washed, cut, and folded them, as the circumstances required, applied them to his own purposes. As this requires a little more explanation, I shall speak of it in detail.

“ There were, as I said, three volumes of law, on which the copyist of Bobio laid destructive hands, when transcribing the Conferences of the Fathers. The first is a volume of that inedited work which holds the principal place in our edition. It was originally of a square form, and of a size larger than ordinary ; each page containing thirty-two lines of more than the usual length. Of this very large MS. the transcriber of Cassian applied many sheets to his own use, which he not only washed, in order to write upon them again, but also cut asunder. Out of each sheet he made three leaves, namely a sheet and a single leaf ; for this form was better adapted to his new oblong volume. These pieces of the sheets thus cut, were partly sewed into the volume, although in sufficient disorder ; and, now that they have been at last returned to their places, and placed side by side, correspond so exactly, that the very letters, formerly cut in two by the knife, reunite once more, and are restored to their original integrity. A great part of the sheets has not been retained in the MS., the blame of which rests with fortune ; and is the greater, because all the rest of this perhaps immense work, containing the entire law, seems to have mouldered away on the shelves of Bobio. Meanwhile, I have taken every care to purify and repair the part which I have in my hands, and I have laboured to make my book present, as it were, an image of

the restored MS. I have given in the margin the marks of the pages, I have numbered the lines, and distinguished them by a vertical stroke. I have designated the cutting of the leaves by a double hyphen where the gap is now reunited; and, by a triple one, the transition from one page to another: lastly, I have indicated by points the hiatus of the text."

The knowledge of difficulties such as these, joined with the uncertainty of success, long operated as a check on the enterprise of the learned. The treasures of the palimpsests were regarded as hopelessly lost; or, at least, there wanted energy and perseverance to undertake their recovery by any steady and systematic investigation. The history of Cardinal Mai's predecessors is briefly told. The earliest deciphered palimpsest appears to be the well-known *Codex Ephremi*. It was found to have contained a large portion of the Old and New Testaments in Greek, under a Greek translation of some works of the father from whom it has its name. But it was suffered to remain for a considerable time unexplored. The celebrated biblical scholar, Kuster, examined it partially; but the full and perfect investigation of its contents was reserved for Wetstein, who has drawn from it some of the most valuable readings of his edition. In a similar manner, a considerable supplement of the Gothic version of the Scriptures (especially the Epistle to the Romans) was obtained, in 1756, by Knittel, prefect of the Augustan Library, at Wolfenbüttel. He deciphered it from a palimpsest of that library, in which, along with a portion of the Gospels in Greek, some of the works of Galen, and other fragments, it formed the ground upon which the *Origines* of St. Isidore of Seville had been transcribed. After a considerable interval, in 1773, Peter Bruns detected a fragment of the ninety-first book of Livy, among the *codices rescripti* of the Vatican. He published it, with an ample preface, descriptive of the discovery. The well-known Dr. Barrett, vice-provost of the Dublin University, followed, after nearly thirty years. In 1801, he printed not only the text, but also fac-similes, of the fragments of the Gospel, which were found, as we have already observed, in a palimpsest of the university library.

This we believe to be the sum of the successes which had been obtained before the commencement of Cardinal Mai's brilliant career. The good genius of literature had placed him in a position the most favourable to his researches—the Ambrosian Library at Milan. His first publication appears to have been a Latin translation, in 1813, of an oration of

Isocrates; the original of which had been published in the preceding year by a Greek named Andrew Mystoxidas. It was in 1814 that he gave the first specimen of what has since proved his especial talent. During that year he published, in two separate volumes, portions of six inedited orations of Cicero, with fragments of the ancient scholia: viz., in the first, orations in defence of Scaurus, of Tullius, and of Flaccus; in the second, against Clodius and Curio, *de Bre alieno Milonis*, and *de Bello Alexandrino*. This was his earliest essay; but the following year laid the foundation of that character which he has since so abundantly verified. It brought to light a considerable portion of the writings of the celebrated Cornelius Fronto, the friend and preceptor of Marcus Aurelius, which before had been deemed irrecoverably lost. Their fate had long been a subject of regret to critics, for their own sake, and still more for the remarkable school—the *dry* school of oratory—of which, in the judgment of Macrobius, Fronto was the most distinguished representative. The volume contains a considerable collection of his letters, to M. Aurelius, L. Verus, Appian, and others; some of them valuable in a historical point of view. It is further interesting for some specimens of humorous compositions, as the “Praises of Dust and Smoke,” and the “Praises of Negligence,” similar in plan to the well-known “Encomium of Folly,” and for several letters of Marcus Aurelius and of Lucius Verus.

But it would be tedious to enumerate, chronologically, the several works which crowded upon each other during these prolific years. In the short space of twelve months, an oration of Isæus, eight orations of the celebrated Symmachus, a few fragments of the lost *Vidularia* of Plautus, a work of the famous philosopher Porphyry, before known only through his antagonists, and considerable portions of Dionysius of Halicarnassus, followed one another with a rapidity which, if the mere mechanical operation of printing alone were regarded, could not but be considered almost incredible; and during the remaining years of his connexion with the Ambrosian Library, he published the fourteenth book of the collection known as the Sybilline Verses, with a poetical translation; two works of the Jew Philo, together with a third, which had been falsely attributed to him, and inserted in the Ambrosian copy of his works; the Chronicle of Eusebius, including a Latin version of the Armenian translation of the lost book; a volume of ancient *scholia* on Virgil; and a splendid copy of

ancient pictorial illustrations of Homer's *Iliad*, together with inedited *scholia* on the *Odyssey*.

Success so distinguished, induced Pius VII, with those enlightened and liberal views which marked his entire policy, to desire that the singular endowments of such a man should be employed in a more extended sphere. Accordingly, he called the modest librarian of Milan to the far more important charge of the unexplored treasures of the Vatican. The event justified his views. He had the satisfaction to see before his death that his hopes were not exaggerated, nor his confidence misplaced. The *de Republica* of Cicero, which Mgr. Mai dedicated to his immortal patron, was the first instalment of his successes in the Vatican. The brief of the pontiff, addressed to him on this occasion, while it evinces his love of classic literature, and zeal for its diffusion, shows, at the same time, the high hopes then entertained of the illustrious editor's career, and which the *Vatican Collection* has not only realised, but illimitably surpassed.

It is now almost too late to turn to the second volume of this extraordinary work, which we had intended to make the chief subject of our intended observations; and we shall consult at once for the narrowness of our limits, and we are sure for the gratification of the reader, by introducing it without preface, in the words of the venerable editor himself.

"The reader, I suppose, will require me to speak a little more particularly of the palimpsest MS. which has furnished us these historic treasures. It is a volume of almost the largest size, dating about the tenth century, written runningly in rather small, but yet elegant letters, with marginal lemmas in rubric, and asterisks which denote a verse, an oracle, or any other remarkable passage which may occur. Once, indeed, it was a gorgeous and princely volume, and most worthy the royal court of Byzantium. But later, about the fourteenth century, it was embarrassed and obscured by another Greek MS. of a very celebrated work which was written over it; the pages being all disordered and some of them rejected altogether. I have given an engraved fac-simile of the Constantinian writing (if I may so call it) part of which is covered, part freed from, the veil of the modern characters. In truth, when I first approached it, and saw by the first glance that it was rewritten, I hardly hoped (though no tyro in this species of labour) for the complete success which I afterwards obtained. For the minute original characters were, as I said, buried and sunken under the modern writing, which was also small; unlike other palimpsests, in which the larger and more beautiful letters of the original shine out conspicuously from beneath the smaller modern manuscript.

I read some pages, notwithstanding, with a wandering and careless eye, till I discovered certainly that in this MS. were contained extracts, for the most part inedited, from the great historians Polybius, Diodorus Siculus, Dion Cassius, Eunapius, and some others."

This was a stimulus to enquiry. But it would be a great mistake to imagine that the labour of examination was now at an end; or even to fancy that, the authors being thus ascertained, there remained but the comparatively simple and straightforward task of deciphering their contents. Never was MS. found in a more perplexing, and, in truth, tantalizing condition. The extracts of the authors here enumerated did not form one continuous work; but were all isolated fragments, succeeding each other with most mortifying irregularity. What was still worse, the authors were not kept separate; portions of different works being placed side by side, without any fixed system, or at least without one the principle of which was immediately apparent. Difficulties like these, however, only served to stimulate the ardour of our indefatigable editor, and to render the triumph of his genius more signal and complete.

"But lo! a new difficulty and not the least perplexing! The extracts of the several authors were parted here and there in the palimpsests; the name of the writer, or the title of the book, seldom appeared; there were no marks of the sheets—innumerable gaps occurred in the text, partly from the compiler's plan, partly from the difficulty of deciphering the buried writing. But amidst the darkness of the re-written and disordered MS. a great light burst upon me, when I discovered that it was a part of those selections, which I knew to have been made by order of Constantine Porphyrogenitus; and found, in addition to this general fact, that the entire MS. was occupied by the title *De Sententiis*. In fact, this title appeared more than once written in characters somewhat larger than the rest. I found the word *γνωμη* (*sententia*) frequently traced, one time in red, another in black letters, upon the margin. But, indeed, I was at last satisfied, by a double and unquestionable evidence, that it was Constantine's title *De Sententiis* I had in my hands. For in Valesius' title *De Virtutibus et Vitiis* (Wesseling's edition, p. 560), the compiler apprises us that the rest of the conference of Lysimachus the Macedonian, with Dromichetas the Thracian, must be sought in the title *De Sententiis*. Now, in the Vatican MS. which, as I said, was entirely occupied with the title *De Sententiis*, both the beginning of the conference which is in Valesius, and the continuation of it, for which the compiler of his title refers to that *De Sententiis*, presented themselves to me, by a striking coincidence.

(P. 266, of my edition 44). Again, in the selections published by Valesius (Wesseling p. 547) the Pythoness is said to have addressed Lycurgus in poetic numbers; but the reader is referred to the title *De Sententiis*. Now, the Vatican MS. (p. 255, of my edition p. 1) presented to me perfectly the verses addressed by the Pythoness to Lycurgus, which the compiler of the Valesian title had mentioned, but omitted. There was no longer, therefore, any room for doubt; besides that the plan of the Vatican selection, the style of the authors, and the other notes of the critical art, placed it beyond all question."

This, as it were, instinctive sagacity, is among the most extraordinary qualities of this remarkable man. His prodigious erudition places the entire world of literature at his command. He can call up evidence from its remotest extremities. He seems to see by a sort of intuition—grasping at a single glance all the possible relations of a critical enquiry. The most minute and obscure shadow of probability becomes luminous under the influence of his learning, and he arrives with certainty at a conclusion, while a less gifted mind would still hesitate and linger over the first preliminaries of the enquiry.

There remained the task of deciphering the palimpsest with all its thousand difficulties;—of separating the text into sentences and words, of restoring conjecturally what the sponge or the scraping-knife had been too successful in destroying, of identifying each portion, assigning it to its proper author, determining its due place in the order of time as well as of precedence, ascertaining whether it had been already published, and finally, of translating into Latin the unconnected and disordered fragments: all this, too, without a guide, unassisted by the labours of any former adventurer, contending alone with all the difficulties of a text always imperfect in its context, frequently doubtful, and even corrupt, and all the incongruities of a broken and disjointed narrative! The difficulties of this task are, as will at once be perceived, peculiar to itself; and the skill with which they are surmounted here and in a hundred similar instances, constitute his eminence's peculiar merit. It is not the profound erudition alone, extraordinary and universal as it must be acknowledged. This is a praise which he must be content to share with many. But the acute, and as we have said, instinctive, power of criticism, the exquisite discrimination, the delicate taste, of which all his researches furnish lavish examples—these are exclusively his own;—*hujus gloriæ socium*

habet neminem;—because it is in an order entirely new, of which he is himself the founder, and of which the previous history of literature furnishes not a single example.

The process is in itself so singular, and is described with so much simplicity and grace, that we are tempted to continue the extract. We cannot help regretting the conventional usage which prevents us from presenting it in the chaste and elegant Latinity of the original.

“These foundations of my labour being laid, I began sedulously to apply to the deciphering and reading the MS. And in the first place it was necessary, by continued and powerful chemical applications, to bring out the buried and hidden writing, to make the characters, long since effaced and dead, assume a colour once more, and appear out from beneath the veil of the modern manuscript. Do not imagine, however, that it was an easy and amusing task to read the MS. thus prepared. It is, like the stone of Sisyphus, to be moved only by many and protracted efforts. And in this palimpsest,—which, as I said is written in small characters, and contains no less than three hundred and fifty-four broad pages of thirty-two lines each,—the labour was greater than in any other, and, indeed excessive. The MS. being at length deciphered and copied, chiefly at noon, and in the brightest hours of the day, it remained to separate the several authors which were jumbled together in extraordinary confusion and disorder; to arrange them one with another, as well as the parts of each by itself, to dispose the leaves in their proper places, and finally, to put together once more the sheets which the modern copyist had formed into new combinations. And fortunate would it have been if the sheets had ever had the numeral marks. But these having been originally omitted, by some accident or some neglect of the transcriber, there was no means for re-arranging them but by the order of the subject and the exercise of one's own judgment; guided by this, alone, as with the thread of Ariadne, I disentangled myself from the doubtful and tortuous mazes of the labyrinth. The trouble and danger, too, were increased in consequence of the same subject—as for example the Punic war—being related sometimes by three authors. There was need therefore of great caution, lest all should be attributed to one; or, what might more easily occur, lest there should be an interchange of authors or subjects, and as it were, a substitution of their offspring, each being deprived of his own, and compelled to receive that of another—an error which would be at once a source of ridicule to the editor, of inconvenience to the reader, and of injury to the character and fame of the authors themselves. The plan which I adopted for restoring the ancient sheets, proved an admirable means of securing me from confounding the passages of different authors, especially those of Diodorus (as the war of

Pyrrhus, for instance) with the similar history of Dion. My Scholia will explain the system and the marks by which I was guided in referring to the different books (which were seldom distinguished in the MS.) the passages of each author when deciphered, for I have done nothing gratuitously, or without the permission of the reader.—(*Script. Vet.* Tom. II. p.p. xxxi.-iii.)

The reader is acquainted, we doubt not, with the history of the vast collection of which the palimpsest was thus discovered to be a part. It was made in the early part of the tenth century, under the auspices of Constantine Porphyrogenitus. In the correspondence of Fronto with the emperor, published by Cardinal Mai, there is mention of a common-place book, containing extracts from different authors, arranged under different heads; and we have many examples among the ancients, if not of collections on precisely the same principle, at least of epitomes and compilations on a similar plan. But the emperor Constantine Porphyrogenitus undertook it upon a more gigantic scale than had ever before been devised. The task was committed to the most learned men of his court: he himself assisted in the compilation; and it was completed in fifty-three titles or heads, each of which comprised a selection of opinions and examples on its own particular subject from the most eminent writers of antiquity. But this prodigious work scarcely outlived the reign of its projector. Out of the fifty-three titles, on whose collection so much learning was lavished, only two were known before the time of Cardinal Mai's discovery. Of the remaining fifty-one, there was no trace whatever beyond the names of twenty-two, to which there are occasional references in the two which have been recovered. By similar references in the Vatican palimpsest, we have learned the names of three others,—*De Rerum Successione*; *De Arte Imperatoria*; and *De Rerum Inventoribus*,—besides its own, *De Sententiis*; or, as it is elsewhere called, *De Sententiosis Effatis*. But all the rest appear hopelessly lost; nor is the history even of so much satisfactorily ascertained. We know that the emperor himself had some share in the work, and that the title, *De Legationibus*, was compiled by a certain John, a native of Constantinople: but all the rest has been forgotten along with the work itself.

Whatever may have been its merits, considered with reference to the end which it was intended to serve, the contents of the titles which have been recovered are such as to make us deplore the loss of the rest. The Vatican MS. was found to contain copious extracts from the histories of Poly-

bius, Diodorus Siculus, Dionysius of Halicarnassus, Dion Cassius, Appian, Dexippus, and Eunapius, for the most part inedited; besides many from Xenophon, Arrian, Procopius, and Theophylact, which, as being already published, the editor has omitted in his most interesting volume. It would, of course, be impossible to compress into any reasonable space an account of the new historical matter recovered by this discovery; and perhaps we shall better consult the convenience of our readers by briefly noticing the present condition of the text of these several historians, as enlarged by the restoration of the fragments thus unexpectedly brought to light.

We shall begin with Polybius,—the writer whose mutilation, if we except Tacitus and perhaps Livy, has left the most deplorable gap in ancient history. Out of the forty books which he wrote, only the five first have come down to us entire. A few inconsiderable fragments of the succeeding twelve (especially the seventeenth, which contains the chapters *De Re Militari*) had also been preserved, in many instances rather condensing the substance, than presenting the form, much less the words of the narrative. The titles of the Constantinian collection, already published,* contained fragments of the remaining books, much more considerable and better preserved, especially the title *De Legationibus*, which is very full in some of the books. Perhaps the Vatican title is less rich in a historical point of view. But, on the other hand, it is more miscellaneous; and, its subject being entirely independent of the others, there is less of repetition than there would have been, had it been purely historical in its character. It is better calculated, therefore, to form a supplement to what had been already published, very little of the matter which it contains having been anticipated. The extracts commence with the sixth book, and extend to the thirty-ninth inclusively, and form one hundred quarto pages, without counting passages already published, and therefore omitted in this edition. There is only one drawback on the satisfaction with which we regarded these long lost treasures. We had occasion just now to observe, that the reader is sometimes referred for a passage from one title to another, and a most mortifying example of this occurs in the Vatican

* "*De Legationibus*" (by Fulvius Ursinus; Antwerp, 1582; and by Hoeschel; Vienna, 1603) and "*De Virtutibus et Vitiis*" (by Henry de Valois; Paris, 1634).

palimpsest. The entire of the fortieth book is omitted. We have not even a single fragment, but are referred for it to the title *De Rerum Inventoribus*.* Now, from the fragments which we already possess, we know enough of the fortieth book to feel its loss the more severely. It contained the history of the close of the Achæan war, a period but little known, and in which Livy's account, besides being miserably meagre, is not altogether above suspicion. The history of this great writer, therefore, is still in a deplorably mutilated state, and, even with the addition of these numerous and valuable morsels, is, after all, but a series of disjointed fragments. For almost all that we possess, we are indebted to the Vatican Library. The original edition was published from a Vatican MS. by Perotti, in the reign of Nicholas V, almost at the very first introduction of printing into Italy.

The first edition of Diodorus Siculus,—an equal sufferer from that fate which has fallen so heavily on the ancient historians,—was also printed from a Vatican MS. by the celebrated Poggio. It contained only fourteen out of the forty books into which the "*Historical Library*" was divided,—viz. the first five, and from the eleventh to the twentieth. A few fragments, some of them of doubtful authenticity, were all that remained of the rest. Since that time this valuable history has received no considerable accession; and it is naturally a subject of self-gratulation to the editor, that the same library to which we owe it in the first instance should now possess the further claim upon our gratitude, which the publication of so considerable a supplement must give. The Vatican palimpsest has, indeed, added very considerably to the existing remains of Diodorus,—although (we need hardly observe), in the same fragmentary form. It consists of seven sheets, five of which are entirely inedited; and it is the more available, inasmuch as it appears that Diodorus has shared but little, if at all, in the injuries of other parts of the MS. It would seem that we have the extracts from his works almost as they were inserted in the original compilation. The only loss is one of little moment, as the books which would have suffered from it (i.-v.) are preserved entire in the original edition. The extracts, therefore, commence with the sixth, and are continued (except, as we have said, in the books which we

* Εν τῷ "περὶ τῆς τῆς ἐξουρῆς" ζητεῖ τὸν ἢ λόγον. What a treasure, even for its own sake, would this lost title be! How Beckman's eyes would have glinted over its pages!

possess entire) down to the fortieth inclusively. Hence there is no portion of the volume in which the learning of the editor has been rewarded with more tangible success. It consists of a hundred and thirty-one pages, and the extracts are often of a very considerable length. They are all restored with much judgment to their proper places; the chronological arrangement displays the vast erudition of the editor, and the text is constantly illustrated by references to the other historians or antiquarians; every apparent discrepancy of facts, or of chronology, which the new discovery has suggested, being pointed out and fully investigated. He has been enabled in the course of his researches, not only to identify, as the property of Diodorus, several passages which were hitherto unappropriated, but also to detect many unsuspected plagiaries. The thefts of the Latin writers from the Greeks, in all matters, but especially in history, were no secret; we were aware that Livy was not the only Roman historian to whom the "*haud spernendus auctor*" had supplied materials. But the Vatican manuscript has proved fatal to the literary honesty of Diodorus; he, too, is discovered not immaculate, and, on the evidence of Cardinal Mai, we are compelled to pronounce him, as well as the Romans, guilty of petty larceny from the pages of Polybius.

In speaking of the early publications of our author, while yet attached to the Library of Milan, we noticed several considerable fragments of Dionysius of Hallicarnassus. When, in the first ardour of discovery, he gave them to the public, he imagined them to be portions of that abridgment of his larger work, which we know to have been made by Dionysius himself. A closer investigation has induced him to alter his opinion. Some of the fragments are exactly the same, with the extracts (certainly unabridged) which are contained in the *Excerpta de Legationibus*, and *de Virtutibus et Vitiis*. These, therefore, he has very properly restored to the great historian, and incorporated, in the order of place and of chronology, with those recovered in the Vatican palimpsest. The "Roman Antiquities" consisted originally of twenty books. Eleven (I—XI) have come down to us without any considerable injury, but the rest were known only by a few unimportant fragments. We receive the more gratefully, therefore, the supplement furnished, by the title *de Sententiis*. It contains sixty-two pages, consisting of extracts from all the lost books, from the twelfth to the twentieth inclusively. And, indeed, independently of the

intrinsic value of this new matter, it is even more important, as forming a supplement to the extant books of Livy. Much of the subject of Livy's lost second Decade is treated in the recovered scraps of Dionysius; and we need not say that, whatever it may be in works of purely literary interest, in history every scrap is of importance; every new fact, however minute, is valuable; if not always for its own sake, at least for the light which it may throw upon motives or events but partially explained. And even those which we already possess in the old historians, may be read with interest and advantage in those newly discovered remains. There is always some truth elicited by the collision of authorities.

The preface of the fragments of Dionysius is especially interesting, for a curious and inedited sketch of his life and writings, by Canabutius, a Catholic Greek of the thirteenth century.

We are not so fortunate as regards the history of Appian. The palimpsest adds but little to our previous knowledge of this author; the unpublished extracts are very meagre; and, upon the whole, we can hardly be said to gain more than a couple of pages. But it is not so with his more voluminous successor, Dion Cassius. His immense history originally consisted of eighty books, of which, however, we possess little more than one-fourth,—and these too in a deplorably mutilated condition. The first thirty-four are completely lost; the succeeding ones, as far as the sixtieth, are tolerably preserved; but our only knowledge of the last twenty is through the compendium of Xiphilinus, and the few fragments collected by Theodorus. The palimpsest is far from filling up this lamentable deficiency of the work; but it furnishes a supplement, by a great deal the most important that has been discovered since its first publication. It begins with a part of the original preface, which is somewhat characteristic, as indicating a prejudice against elegance in historic composition, which prevails with some to the present day. After declaring that he has consulted almost all the authorities upon Roman history (although he has not used them indiscriminately in his own work), he requests the reader not to judge him, as other historians have been judged, according to his style. "Let not any one," says he, "doubt the truth of what I relate, in consequence of my using a pompous style, when the nature of the subject permitted. I have endeavoured equally to attain elegance and truth."* This is a warning which we

* P. 135.

should hardly have expected at that era of the Roman—perhaps we should rather call it the imperial—literature.

Then follows a continuous series of extracts down to the battle of Cannæ, following the thread of the narrative with much more regularity than might at first sight be imagined. Unhappily, at this point of the history the palimpsest is itself defective; nor is the series resumed till the reign of Augustus, from which period it is continued without interruption throughout those of the succeeding emperors. The work of Dion terminated with the reign of Heliogabalus; but the palimpsest contains fragments of a continuation down to the time of the first Christian emperor. The name of the author is not affixed, nor is anything known concerning him beyond the fact (which may be gathered from his history) that he was a Christian, though of what age it is impossible to determine. The mere collection of these fragments into one body, however laborious it must have been, is the least merit of Cardinal Mai's edition. They are all arranged in chronological order, and, by means of the admirable index, digested into a form available for the uses of the student, far beyond what could be believed possible for a series of fragments selected for an object not purely historical. The portion of Dion's history recovered from the palimpsest, occupies a hundred pages; but Cardinal Mai has added a further collection, extracted with great research from the MS. entitled *Florilegium Vaticanum*, which contains upwards of two hundred authors; and a third from the *Anthologia* of the learned but unhappy Greek monk Maximus Planudes. Each of these is itself chronologically arranged; but unfortunately not having been discovered till the rest of Dion had been already printed, they have not been interwoven with the general frame of the history.

There is another author whose loss would perhaps have furnished less cause of regret, and of whom, notwithstanding, a considerable portion is recovered;—we mean, the cynical and anti-christian Eunapius, well known to the readers of the *Decline and Fall of the Roman Empire*. He was a native of Sardis, and a physician by profession, who lived at the close of the fourth and the beginning of the fifth century. He is among the last assailants of the Christian faith, and has distinguished himself by his virulence, even above his most celebrated predecessors. His *Lives of the Sophists* is still extant; and it is from this work that Gibbon quotes his prediction “that a certain fabulous and invisible influence would tyrannise over the human mind.”

nize over the fairest things of earth.* Fourteen books of his *Lives of the Emperors* were extant in the time of Photius; but all had perished except the few sentences cited as examples in the Lexicon of Suidas. The titles *De Legationibus* and *De Virtutibus et Vitiis* contained some extracts; and as Cardinal Mai has very properly inserted them among those of the Vatican title, his volume thus presents us with no less than seventy pages of an author almost entirely unknown. Eunapius commenced his history of the emperors at the reign of the second Claudius, surnamed Gothicus;† and brought it to a close, according to Photius, at the beginning of the fifth century. The extracts in the palimpsest, however, as in the case of Dion, descend lower, containing several events of the reign of Theodosius the Younger, and his sister Pulcheria. The tone of this work is much less violent, as far as we can judge from the extracts, than that of the lives of the sophists. But there is enough of bitterness to establish the authenticity; and though he generally appears to deal in insinuation rather than in broad attack, there is a passage at page 278, in ridicule of the monks of his time, almost identical, both in spirit and in language, with that cited by Gibbon in his history.‡

The work of Eunapius, although it precedes in order, is a continuation of the history of Dexippus, which occupies the next place in the volume. The latter being much more difficult of deciphering, was held over; and, indeed, appears not to have been immediately recognized; and the printing of Eunapius having proceeded in the meanwhile, there was no remedy for the misplacement. The extracts, including what Hoeschel had already published, occupy twenty-six pages. The work originally contained a compendium of history, from the fabulous times down to the death of Gallienus. From the broken and imperfect specimens which we possess, it is not easy to form an opinion of the merits of Dexippus. But the fact of his works having been deemed worthy of a continuation, is in itself a considerable testimony; and undoubtedly, if the estimate of his accuracy, discrimination, and taste, which is made by his continuator Eunapius, in the preface of his own history (pp. 248-9), be not a grievous exaggeration, we cannot help believing that we have lost much in the destruction of his writings.

* Μυθώδες τι και άειδες τυραννησει τα της γης καλλιστα.

† A.D. 268.

‡ ii. 212; ed. 1829.

There still remain of this vast and miscellaneous storehouse of lost literature, fourteen pages of the works of Menander. He was a native of Byzantium, and wrote, in eight books, the annals of the empire from 560 till '582. These voluminous memoirs, however, had long perished, and they were only known by a fragment published in the *Excerpta de Legationibus*. Unhappily, the palimpsest adds very little; but some of the facts are interesting, especially the account of the martyrdom of Isaozita, one of the most remarkable and edifying in all antiquity.* This is further curious, as having been the subject of what we may regard as among the earliest specimens of the Christian drama—a tragedy by Menander himself. But we know nothing of the merits of the work; it has perished among the other productions of its author; and indeed, if it may be judged from an epigram of his on the same subject, which is preserved, it is probable that its piety was its best claim to commendation.

Here ends the historical palimpsest, and it does not come within our scope to notice the remaining contents of the volume. They are chiefly short treatises or orations on political science, by different hands. An essay of Nicephorus Blemmydas, a monk of the eighth century, entitled *ὅπου δεῖ εἶναι τὸν βασιλέα*, "*Qualem oportet esse Regem*," and an exhortation of the Emperor Basil to his son Leo, are the most interesting of them all; although we fear, they will find few readers while they remain in the too attractive neighbourhood of the great fathers of Roman History.

This volume, however, is not to be taken as a specimen of the entire work. We have already said that its contents are of a most miscellaneous character; and we cannot close without calling the attention of our theological readers to the vast accession which ecclesiastical literature has received in its publication. Although there is scarcely one of the volumes which does not contain a great deal that is most interesting to a student of ecclesiastical antiquity, it is to the seventh, eighth, and ninth, we would specially refer as peculiarly rich in remains of the fathers. The seventh volume contains a long and valuable collection, entitled *Doctrina Patrum de Verbi Incarnatione*. It is the work of a priest named Anastasius, of whose history little is known: and from the form of the letters of the MS. (apparently of Egyptian origin) it is of great antiquity. It consists, as the title indicates, of extracts from

* P. 359.

the Greek fathers, on the doctrine of the Incarnation. It is unnecessary to say that much of the contents of this MS. was already known in the extant works of the fathers; but the editor has omitted all that was before published, so that his *Doctrina Patrum de Verbi Incarnatione* contains a mass of entirely new evidence of the early faith of the Church in this fundamental doctrine. The same laborious plan has been pursued in the publication of the *Sacrarum Rerum Liber*, of Leontius, a more miscellaneous collection, but on a similar principle; and in the original of this work, which is a palimpsest, the difficulty must have been infinitely greater. But the success well repays the toil; there is no price too high for the fragments of Irenæus, Athanasius, Cyril of Jerusalem, Cyril of Alexandria, and other fathers which are thus preserved. In the same volume are contained two short treatises of St. Ambrose, and one of St. Gregory Thaumaturgus, besides several lost passages of other fathers, which are cited by Leontius, in his book against the Monophysites—a work of very considerable intrinsic interest. The contents of the eighth volume are less fragmentary. It comprises several inedited works of St. Gregory of Nyssa and St. Cyril of Alexandria, from a MS. discovered more than a century since, by Zaccagni, librarian of the Vatican. We have two sermons of St. Gregory; the first against Arius and Sabellius, the second against the Macedonians. Of St. Cyril we have;—1, twenty-eight chapters on the Trinity; 2, thirty-five on the Incarnation; 3, a homily hitherto known only in the Latin translation; 4, a treatise on the *θεσπικος*; 5, a dialogue with Nestorius; 6, a short catechetical exposition of the first principles of faith; 7, four letters; 8, fragments of a commentary on the Gospel of St. Matthew, and on the Epistle of St. Paul to the Hebrews. The ninth volume contains a *Catena Patrum* on the Gospel of St. Luke, compiled by Nicetas, a deacon of Constantinople, and afterwards Bishop of Serræ. The editor has published only the more celebrated authors, and of these has omitted all that was already known; so that we have, in this most important volume, ninety-eight pages, in a small and crowded type, of lost works of the most eminent ancient ecclesiastical writers. Besides these, there are scattered through the volumes, in works of the later centuries, many most interesting citations from writings of the fathers, now lost, which it would well repay the labour of the controversialist to examine and collect. What, for example, could be more striking than the following passage of St. Athanasius? (tom. ix. 625). It is from a sermon

of Eutychius, a patriarch of Constantinople, about the year 625, in which he adverts to the usage of adoring the Eucharistic symbols at their first oblation, before the words of consecration have been pronounced by the priest.

"Although" says he, "the great Athanasius, in his *Discourse to the Baptized*, says 'Thou wilt see the Levites carrying bread and the chalice of wine and preparing the table; and, as long as the prayers and supplications are not yet put forth, it is mere bread and a mere cup. But as soon as the sublime and wonderful prayers are completed, then the bread becomes the Body, and the cup the Blood of our Lord Jesus Christ.' And again, 'Let us come to the celebration of the Mysteries. As long as the prayers and supplications have not yet been made, this bread and this cup are plain [bread and wine]; but when the sublime prayers and the holy supplications are sent up, then the word cometh down unto the bread and the chalice, and they become His Body.'"

It is time to bring this perhaps too discursive article to a close. But our readers may remember the wonderful excitement and extravagant hopes created by the publication of the first palimpsests; and while we were anxious to do justice to the most important one which has yet been discovered, we have been led unconsciously into more general discussion of the subject. It is now a quarter of a century since the attention of the learned was called by the success of Cardinal Mai, to what then seemed a most promising investigation. As too generally happens, the most exaggerated anticipations were entertained as to the result; the great literary Millennium appeared to have arrived; Montfaucon's opinion as to the number of such manuscripts (which we believe to be much over-rated), was rapturously recalled: visions of new Greek tragedies and long-lost histories were painted, not in the dim and clouded distance, but in the palpable forms of near and certain reality: the most comprehensive schemes were suggested, the most unlimited inquiry proposed. "Who could say that we might not find a play of Sophocles under some obscure act of parliament, or a book of Euclid in some antiquated deed of title?" Nay, the propriety of an authorised commission, with power to search all suspected circles, was strongly urged in influential quarters. Alas, it has all passed fruitlessly away. The palimpsest-fever has subsided: the manuscripts still sleep undisturbed on their shelves; Sophocles and Livy are as far as ever from our reach; and we see Cardinal Mai still toiling on unassisted, still uncheered by the companionship of the learned in his

irksome researches,—a solitary labourer in that land of promise, to which he himself had led the way. This is indeed mortifying; and the more so, that in England we cannot refuse to bear our portion of the blame. There is no country which enjoys so large a share of the learned leisure necessary for the task; certainly none where literature possesses so unlimited a command of the “appliances and means” indispensable to its prosecution; and, although we are far from sharing the exaggerated hopes to which we have alluded, yet we cannot doubt that, in our vast collections of manuscript treasures, there are numberless rich fragments (and palimpsests never can produce more), to reward the perseverance of the first zealous investigator. But, to say truth, there is upon all these matters, a degree of indifference among us, even in quarters where it is least excusable, for which it is not easy to account; nor can we suppress a feeling of humiliation, when we contrast the Vatican Collection,—the fruit of the unaided labours and resources of a single individual,—with what may, in some sense, be called a national work of our own in a similar department—the *Herculanensia Volumina*, published at the Clarendon press, by the University of Oxford.* It is as bald and meagre as it could possibly be made by an express resolution to expend upon its preparation the smallest practicable proportion of intellectual labour;—without illustration, without commentary, without translation;—without even a transcript into small Greek letters of the capitals in which the papyrus was written. It is, in fact, a mere mechanical production,—a simple fac-simile, which owns no higher origin than the graving-tool,—the handiwork of an artisan, rather than the composition of a scholar. Nor can we forbear to notice a similar instance of indifference, or perhaps we should say negligence, on the part of our editors, to avail themselves of what has been done ready to their hand. We know not whether there be any copyright difficulties in the way; we should think not; but, even were it so, we consider it highly discreditable to our national literary character, that in such a work as the *Vulpy Classics*, the editors should have failed to insert, at any sacrifice, if not the fragments of the orations, at least the invaluable *De Republica* of Cicero.†

* 1824-5.

† M. Firmin Didot's *Polybius* contains Cardinal Mai's fragments, and it is intended in the other volumes of *Bibliotheca Græcorum Scriptorum*, to incorporate in their respective places, all the recovered portions of the great historians.

In conclusion, we must again remind our readers that it is impossible, without a minute examination, to form anything like a fair estimate of the value of the *Scriptorum Veterum Vaticana Collectio*. No library, especially ecclesiastical, is complete without it. And yet we trust, that, interesting and important as is the matter which they have forestalled, the present volumes are but the forerunners of a longer and more important series. Success is power. The fertility of past years is the best warranty for the future; and we doubt not, that every lover of literature will sincerely unite with us in our earnest prayer, that the illustrious and venerable editor may yet enjoy many happy years of health, and of that literary leisure which he has used so well, to labour on in the vocation to which he is especially called, till he has exhausted all that is valuable in the yet undiscovered riches of the Vatican.

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- Art. VI.—1. *Van Diemen's Land Almanack for 1841*: Hobarton.
2. *The Royal Almanack for Van Diemen's Land, 1841*: Hobarton.
3. *Australasian Chronicle*: Volumes I.-III. Sydney: 1839-1841.
4. *The True Colonist, Van Diemen's Land Political Despatch and Agricultural and Commercial Advertiser*: Volumes I.-X. Hobarton: 1831-1841.
5. *The Acts of the Lieutenant-Governor in Council of Van Diemen's Land*: Vol. II., Part 1. Hobarton: 1840.
6. *Papers in the Case of the Bothwell Church Bill, ordered by the Council to be printed*: September, 1840. Hobarton.
7. *Petition of Messrs. John Jackson, John Elliot Addison, Hugh Addison, and William McLaren, to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies, &c. &c., in reply to the misrepresentations contained in a Petition addressed to the Legislative Council, by Mr. David Lord, &c.* Hobarton: Van Diemen's Land, 1840.
8. *Statistical Returns of Van Diemen's Land*: Hobarton, 1839.
9. *1st and 2nd Reports on Transportation, of the Committee of the House of Commons*. London: 1837-1838.

IT has sometimes been our fortune to be made aware of a painful bewilderment on a subject of magnitude, from which many good Catholics are not by any means exempt.

We allude to the simple, but important question of social ethics; in other words, to the motives which should regulate the civic, economic, and international policy of man. When one endeavours to indicate to them their misconception of their position, and to teach them how to attach their duties towards the State, and their claims upon it, to the same good rule of right, whereunto they have already learned to attach every other claim and duty; then may one see how baleful, and bad, and repugnant to the traditions of better days, have been those lessons, which, in this newspaper-age, the sons have consented to derive from newspapers, instead of those which their wise sires elected to receive from holy pontiff. For, from Sir William Petre the Catholic, down to the modern and Protestant Sir Robert Peel, our statesmen, differing perhaps in every shade of variance upon details of statecraft, may yet be found most solemnly accordant in one striking and startling point,—their divorce from everything heavenly. For even so Machiavel, and all the ethicists of the routine which followed this Florentine, have taught the newspapers; and even so, the newspapers have endeavoured to teach us all, with pretty tolerable success. And hence the world-text so cunningly handled by all the popular preachers or lecturers upon our world's morality, informing us in its own lively little way, "that religion and politics are at daggers-drawn, and that in endeavouring to unite the twain, there is certainly superstition, and most probably danger too." Turn by turn, or all at once, every spring of action, *but one*, has been repeatedly sounded, and plumbed, and let loose upon the land by them of parliament and power;—and all in vain. Why the failure? Precisely because of that one spring being left unsought, unsounded; it was the main spring of them all,—the moral conscience! Had those who sway the destinies of England, and their predecessors of three past centuries, but known and believed in its hallowed and inspiring influence, we should have missed the diverting spectacle of so many new or revived expedients, toiled for and struggled after, in so many slow sessions; and, in as many and as tardy sessions, again protractedly commended, inch by inch, to gradual, but (heaven grant it!) perpetual oblivion. We have not reached the middle of this century, and we have witnessed already more than one tercentenary injustice redressed,—more than one ancient right restored; and, we begin to hope, that at last the goodly path of retrogression is to be trodden in right earnest. Be it ours, then, to ease and

help the pilgrims on that march. Be it ours to discard the stupid teaching of the "Spirit of Enlightened Ages," when we come to deal with principles and realities, and to remember, no less for their sakes than for our own, the better lessons with which heaven's bounty has deigned to provide us. We must call things by their right names, nor fear to offend or astonish the cant of the day. In dealing with the momentous subject to which this paper is devoted, we must not fear to be discontented with any sanction that is not stronger than our own material comfort, or, that of our countrymen, when punishments are to be inflicted on the culprit, or gratifications awarded to the deserving. Let us, in short, desire earnestly, that none may ever forget our country's vocabulary, wherein are to be found the right names of things and ideas:—but let us agree to set the example, and call them by their right names first ourselves.

We have been led into this train of thought, by the perusal of some reams of printed paper, compiled from many sources, painfully produced by many heads and fingers, but circulated seemingly for one philanthropic, or at least charitable purpose; that, namely, of enabling the world to convince itself that something has been said, wisely or not, in favour of a thing so generally and self-evidently indefensible, as the so-called system of secondary punishment in the penal colonies of Great Britain. Afraid to quote from purely British authorities, lest the admirers of transportation should have it in their power to reproach us with our partiality and wilful blindness, we have crossed the ocean, and brought from its further banks, the vindictive productions of pens certainly not inclined to favour the Commons' Report, or its supposed and clever author, Sir William Molesworth. And after wading through whole files of antipodean newspapers, after perusing their pamphlets, after weighing and balancing the heavier matter supplied us in the imposing State-papers, Reports on Estimates, Minutes, &c. &c., with which, at intervals, the English public has been entertained by the courtesy of the provincial governors:—and, after still nearer and clearer insight into the matter, so far as the ocular witnesses with whom we have conversed, and the unpublished correspondences now in our hands could afford us.—we have been at length enabled to discover what it is that the friends of transportation mean henceforward to oppose to the further encroachments of Parliament, and the arguments of those advocates of a thorough and radical change in the present system, whom,

though the late reforms in it have cheered to further exertions, they are very far indeed from contenting. And, we grieve to record it,—the answer which the friends of the *statu quo* are prepared to oppose to these clamorous reformers, and which they conceive an unanswerable one, and one which should content the empire for an indefinite period to come, may be thus translated into the vulgar tongue of the mother-country:—"Whether this penal system, which Great Britain invented for the repression of her indigenous crime, be calculated to achieve that purpose, or to achieve the very contrary one, of encouraging crime at home, and increasing it, is no question for us. The only question is, what are the colonists to do for labourers, if there be no crime in Britain?—or, being crime, if its professors are not annually picked out with care and sent as slaves to the shores of the southern Pacific?" And, be it observed, that although at first, there were upon our own soil, those who slighted, or disputed, the benign and friendly persuasions which men like Dr. Whately had for years before addressed to them; yet among Englishmen that spirit has now completely died away; and the unanimous concurrence of the Transportation Committee, which was presided over by Sir William Molesworth, and upon which Sir Robert Peel sat by the side of Mr. O'Connell and Lord John Russell, is only a symbol of the unanimous adhesion to the principles of that Report on the part of the public out of doors. It is not in England, therefore, that the lamentable outcry against the further prosecution of this good work is now raised, nor the sordid dissuasive of a supposed pecuniary risk resorted to. Recalling to our recollection the manly protests of American colonists in the last century, against the impiety of "deluging the new world with the vices of the old," we deeply regret,—for the honour of its inhabitants, so indignantly casting back on their supposed calumniators, the highly coloured denunciation of their moral condition,—that an argument like this, inconsistent in every respect with the high tone of their remonstrance against the Protestant Archbishop of Dublin, and his chaplain Dr. Dickinson, should, of all others, have been considered the most worthy of Van Diemen's Land. And yet, with the rare and valuable exceptions of those antipodean residents, to whom not even the natural fear of obloquy and odium in a period of great local feverishness and excitement, can induce to hide their honest concurrence with the views of their colony's best and soundest friends,—the abolitionists of transportation,—with their ex-

ception, we have failed to find any argument, any justification of this system,—condemned alike by philosophers and by Parliaments,—which does not at the last resolve itself into this; —“If we have no criminals, how are we to make money?” And yet, for asserting that the tone of morals in Van Diemen's Land, was debased by penal contagion, its real friends, who would first abolish that scourging evil, and thereby prepare the place for the reception of an honest European peasantry, have been publicly “spoken against,” and branded as *calumniators*!

But the delusion goes still further. By way, we presume, of satisfying the needments of a very respectable body of shallow thinkers on these matters, whom the unanswerable *what are we to do without felon bondsmen?* might fail to convince, we find, from one or two of the works we have set at the head of this paper, that by tilling Van Diemen's Land, and tending the sheep of its wool-growers, the criminals sent out will become reformed, and humanity will rejoice in their conversion. The process of reform is in this wise. It will be the interest of a convict, *if he have a good master*, to behave well, or at least seem to behave well, and so deserve present bounty and future emancipation. It will be also the interest of the convict, *if he have a bad master*, to behave well, or seem to behave well, and so avoid present tyranny, and future aggravation of his transoceanic lot. It will be the interest of the convict, when his sentence has expired, or been shortened, or when he has received the ticket of leave to work for hire as if he were a free man, to live soberly, honestly, and chastely in this present world, whence comfort cometh and respectability. It will be the interest of the same convict, whether in bonds, or out of them, not to deserve new severities, lest he be found out, and punished accordingly. And interest, if we may believe Colonel Arthur,* is a powerful thing; and even convicts feel its power, and confess it, and are, in fact, very decent utilitarians. But if this be Reformation, we can only say, that we only know one other instance in which the word has been more misapplied than it has been here! It would be an insult to the understanding of a Catholic reader, were we to attempt a grave refutation of such idle trash. It is the veriest reduction to absurdity of Benthamism, and the clearest illustration that Mr. Carlyle

* “Defence of Transportation,” &c. by Colonel George Arthur; pp. 31, 35, 37, 103, *et passim*.

could desire, of the hopeful work the utilitarian evangel is like to make among the multitude, so soon as it begins to circulate at large, by dint of cheap type and gratuitous distribution. Did it never occur to the venerable philosopher of Westminster, that *his* Utility was one thing, his shoe-black's another thing?—and, that while with him, and others who like him were better than their system, the peace of mind and hope of future bliss, consequent on the performance of an action otherwise painful and repugnant to man's nature, were of themselves a sufficient recompense and motive to new exertion, duller souls, and sordid minds, unable, or unwilling, to recognize the seat of interest, of ease, and comfort, elsewhere than here below, nor any gratification that was not of the visual and material kind, would apply his own principles in the manner in which our friends in the colonies have applied them? Are men indeed so swinish in this “enlightened age,” that not only they find life more tolerable after meals, but more virtuous too? We once met with a colonist of much estate and credit, who was a flaming advocate of the existing system of penal discipline, because of the singular beauty and advantage of one part thereof,—the assignment of convicts to private masters, who might work them for nothing but the fear of punishment. He told us, that he was singularly happy in the reformation achieved by his bond-servants over themselves; and he gave us the rough estimate as follows. He had had about a hundred convicts altogether from first to last in his employ, some of whom had become free by servitude, and others by indulgence. Of most of these he had never afterwards heard anything at all; of some he had heard *favourably*,—namely, “that they were making money by working for high wages,” labour being then, and now, very dear in Van Diemen's Land!! He reluctantly added, that five convicts in his service had left it to die upon the scaffold. But this gentleman's logic may well be forgiven, when we find the solemn state-papers, compiled by colonial secretaries, for information of colonial governors, and by the latter forwarded to Downing-street for the enlightenment of Mr. Mother-country, positively exulting* in the “remarkable” decrease of tickets of leave, and other indulgencies for the year 1835; because it showed that another decrease in the number of local punishments for the same year was attributable, not to any moral amendment of the

* “Statistical Returns of Van Diemen's Land, from 1824 to 1839,” &c. p. 7.

convicts, but to "the improved system of discipline for the prevention of crimes," which he and Sir George Arthur, his uncle and governor, had brought into operation!! And a discouraging increase in "*all* minor offences and misdemeanors," (including felonies summarily tried by magistrates), having reference alike to convicts and free people, is ascribed not wholly to the convicts, of whom it is said, that an "improvement in their conduct has been obtained," but "*probably* to the *annually increasing* number of convicts who become *free by servitude*."* That is to say, the reform and improvement whereof we make our boast, are predicated only of the bond *quoad* the house of bondage; for when they have left it, they leave their good habits behind them;—when they are free, they are free to sin again! This is Reformation with a vengeance!

But the truth is, that the advocates of reform in this department of our polity have very generally fallen into the same error as their opponents. They too, have confounded Reformation of the criminal with his present interest in acting as if he were reformed. Thus, even Archbishop Whately, in his "*Thoughts on Secondary Punishments*," (p. 36), speaks of so regulating the work done in the penitentiary he recommended to the notice of Earl Grey, as thereby, "to superadd to the habit of labour, an association not merely of the ideas of disgrace and coercion with crime, but also of freedom and independence with that of labour." Again, in his "*Remarks on Transportation*," (pp. 33-5), he complains, that the settlers to whom convicts are assigned, and to whom are "entrusted the punishment *and the reformation* of criminals," are not "required to think of anything but their own interest;" but that "the punishment *and reformation* of convicts are only incidental results" of it. So, too, Jeremy Bentham himself, perhaps in an incautious hour, suffered the sentiment to escape him, that the master's surveillance over his assigned convicts, the absence of means and inducements to be vicious, and, "the dependance on, and obvious interest in the good-will of" their employers, were "highly conducive to the reformation of the convicts," whereby "*any* principle of honesty" retained by them, "*could scarcely fail* to be invigorated and developed."† We shall not multiply instances of these expressions. We are convinced, that in

* "Statistical Returns of Van Diemen's Land, from 1824 to 1839," &c. pp. 6, 7.

† Bentham's "Rationale."

Dr. Whately's case, they are solely attributable to accident, or rather to the frequency with which the sanction of previous writers had been bestowed upon this manner of speech. It has, however, furnished an able, but disingenuous opponent of Dr. Whately, with a kind of argument* against some of his strong positions;—that argument being the cogent, novel, and triumphant one, which we remember at school, under the appellation of the *Tu quoque!* Into the consideration of which argument we have neither call nor time to enter.

It is not by the means of the Barathrum or of the lash, nor by the prospect of a rich and palmy share of this world's goods, that Reformation is to be achieved. When these have done their utmost and have succeeded best, the reformation has still to be wrought, and under far greater difficulties than ever. For the desiderate being, not the amendment of the inward life and the secret practices of the hardened offender, but merely the prevention of his more notorious excesses, which else might awaken the anger of municipal law and the ban of decorous society, it follows that the whole bent of all this virtuous law-making, is to add sin to sin, hypocrisy to covetousness—that so the negation of virtue, twice repeated, may pass current, at least, for one affirmative virtue. “*Desiderabilia super aurum*,” saith the psalmist; “*Desiderabilia propter aurum*,” cry the quacks of our days. Of what worth, not in the world's market, but in intrinsic value, is a conversion from a losing speculation in sin because of the failure; to a profitable one in virtue, because of the anticipated pelf? And how long is it to last? till virtue goes down in its turn, and the Bulls on 'Change put up vice again? We know not what acceptance these our narrow views are like to find out of the Catholic body, but we know that among Catholics there is no hesitation on the point. The stronghold of the Arthumites is the imagined and asserted fact of Van Diemen's Land being made a land of miraculous conversions and “reforms of individuals,” by the magic of the penal laws; and they quote from the preamble of the act 19 Geo. 3, c. 74, a parliamentary commission for that mighty working.* And they argue that if transportation to its shores have failed; as has been asserted, in the unimportant particular of prevention of British crime, and have, in fact, tended to increase its volume, what then? *O felix culpa!* O lucky culprits! Have

* “Defence of Transportation,” by Colonel G. Arthur; pp. 31, 37.

† Ibid. p. 47.

they not Van Diemen's Land before them, with its purifying pools, where they may wash themselves, and be clean? Sure we are, that no Catholic can fail of amusement so often as he meets with so notable a scheme of reformation, as this zealous founder and godfather of a penal settlement of his own, here presents us with! And, in fact, Sir George Arthur himself seems to have apprehended the possibility of all not being right with the said scheme; and very clumsily he thus winds up his defence (p. 122):

"After all, to attempt to increase the *apparent morality* of a nation by augmenting the terms of punishment, and so working upon the basest principles of our nature, is a *less politic*, as well as a *less generous* means, than the endeavour to improve, by every possible means, the *condition of the lower orders*, (!) and to accomplish an extension of right principles, by accustoming the public to regard the permanent *advantages* of virtue, as *superior* to the destructive and only temporary *pleasures*, of vicious indulgence! The *religion* of the Protestant Church is," &c. &c.

All this is, doubtless, very politic, if not very fine writing, for this colonel's book is professedly addressed to a lord spiritual of parliament; but what does it all mean? And how to reconcile it with his school of reformation—his episcopal school call it? where, not the Protestant Church, but overseers of gangs, in and out of irons, are to bear the moral and corporal charge of the grey-coated and yellow-legged neophytes. The truth is that Colonel Arthur had a glimmering of the truth at the last, but only a glimmering. Had he learned to recognize in another Church than the variegated one which he calls Protestant, the depository of all science because of all truth, he would have never confounded so woefully as he has done the two hierarchies of Church and State. To the former belongs the jurisdiction of the inward life: to the Church has been committed the examination and amendment of all the maladies of souls, the secret no less than the seen: the only accuser of the offence is the offender in person; and he receives his recompense and his restoration from his lapsed state only through the sacraments. To the state has been commended the power of the sword temporal,—that terror to the evil-doer, and to the prone to do evil. But this power of infliction of pain is only designed for the establishment of external order, and the repression of the outbreaks of the inward vice. It is only strong when so employed; for any higher purpose it is either weak and insignificant, or operative of violence and wrong. In its true

sphere it should restrain by law the breakers of the law, and signalise the punishment of those whose guilt is consummated, to those intending or desiring to be guilty. But when this is done, its end is answered; and for aught beyond, the superior hierarchy, the supernatural and celestial one, the Church, must be invoked. That earthly hierarchy, the State, has neither mission nor capacity to reform the moral figure of its meanest criminal. His reformation is the province of the Church. There are countries where a better appreciation of these distinctions exists. In spite of all the proverbial jealousy of the men of the *Doctrine*, even in France the publicists avow it, and the administration, in not a few cases, practises it. We have great satisfaction in quoting a few remarks from one of a very able series of papers on the French prisons, in *l'Université Catholique*, from the pen of M. Paul Lamache.*

"Whether we adopt the Auburn or the Philadelphian system, neither the one nor the other ought to be regarded a sovereign remedy of moral disease. Means of material discipline and architectural precautions, useful in so far as they oppose an obstacle to the mutual corruption of the prisoners and to contagious communications, cannot reach the root of the mischief in the culprit's heart, in the complexities of a perverted will. The necessity of labour imposed upon the prisoner, the empire of habits of order, which discipline will tend to instil into him, the bait of rewards promised to his docility and orderly conduct, the dictates of interest well understood, may doubtless *modify him superficially, and prepare him to re-enter society with designs less unfriendly*. But, besides that there are energetic and fiery natures which reject these compromises and calculations, whilst motives of a sublimer order, and more attractive considerations would have had weight with them,—religion alone can effectually guard the condemned against the impure recollections of his past life, against the sense of his humiliation, against those shameful passions which burn ever in the bosom of societies, and make such terrible ravages in the prisons. She alone can bring down on all this slime, a vivifying ray, and transform it it into a new man." . . . "It is not merely theoretic principles," says M. Charles Lucas, 'but practical observations, which influence our opinions in this matter. Corrupted, irreligious, as the actual population of our central prisons may be, and disposed in the courts and the work-rooms to deride religious principles and exercises, yet once that the Temple is open to them, and they have crossed its threshold, and knelt down there, and the priest has mounted the

* "L'Université Catholique," tom. vi. pp. 315-16.

altar-steps, you might see the reign of silence and recollection on every side, without any necessity, so to speak, for the interference of prison discipline. Our oldest superintendent, M. Marquet Vasselot, attests that, never since he has seen the prisoners assisting during mass at the different religious ceremonies, has he known two examples of scandal and impiety.....In the sphere of penitentiary education, confession is the necessary complement of moral instruction. It is not enough to confess to one's self one's faults: one must have the courage and frankness to make the avowal to somebody else. If hypocrisy be the most perilous quicksand to be shunned, the avowal of the offence is the most important result to be obtained, in a scheme of education which aspires to regeneration and the re-edification of repentance. Confession has one other advantage, that of calling to the aid of a mind of but small development, the counsels and directions of a more enlightened intelligence. Now, in this regard again, Catholicism renders, by confession, a signal service to penitentiary education."

Accordingly we learn from the same authority, that in Lyons, Bordeaux, and elsewhere, the trial has been made with the happiest results. May France soon be unable to afford a single instance of a prison conducted on any other system! Meanwhile let us return to our colony. Having thus disencumbered ourselves of so much of our task as respects the economical objections which our Van Diemen's Land friends appear to raise to the final extinction of the transportation system, and the pretended reform, which, it is asserted, this system tends to operate upon the offenders, let us come to the only remaining point, possessing, as it does, the further merit of lying in a very small compass. The end of punishment is prevention. We do not say with some writers, that it is the exclusive end; we are far from being transported into raptures by the tropes and flowers of poetic prose which are to be found in various parts of the *Gazette des Tribunaux*, of the 21st August, and 25th May, 1836, and the 17th and 18th April, and 18th May, 1837, under the appellation of speech or speeches of M. de Lamartine. We are far from excluding the retribution due to the crime itself from the delegates of God's temporal justice, as an essential element of all punishment. At the same time, we confess that the chief constituent characteristic of punishment is the endeavour to repress future or possible crime, by an exemplary penalty signally inflicted upon the detected criminal. This premised, we think it impossible to doubt any longer that the practice of transportation is, under this head, as indefensible as under the two less important ones. The first in

reputation, and nearly the first in order of date, who had the merit of drawing public attention to the colonial punishment of British offenders, as calculated to allure to crime instead of dissuading from it, was Archbishop Whately. Mr. Gibbon Wakefield's powerful pen contributed largely to the Protestant prelate's side of this then disputed question. Mr. Heath, and other writers of more or less note, soon swelled the ranks of this fast increasing party, that called for the strictest scrutiny into, and if merited, the immediate determination of the transportation system. Since then it has pressed itself upon the successive parliaments of this realm, in every possible shape,—by petition, motion, and committees of inquiry, &c. &c. In the Upper House, Dr. Whately, whenever his cycle, after the customary revolutions, has returned; in the Lower House, Sir W. Molesworth, Mr. Ward, Mr. Charles Buller, and others, have been most unwearied in their patriotic efforts to bring about the downfall of a system, which they justly regarded as hurtful and demoralising. The consummation is fast approaching. The first blow has been struck. After two protracted sessional inquiries in two distinct parliaments, an unanimous vote of an impartially chosen committee has authorised the able and voluminous report, which its chairman, Sir William Molesworth, had drawn up by request of his colleagues. It is remarkable how closely and practicably the principal objections, urged by Dr. Whately, in his early letters to Lord Grey upon this subject, have been ratified and adopted by this committee, and established by the most recent and overpowering evidences. The opinion of the committee is already expressed. Transportation is condemned alike in principle and in practice. Their only doubt seems to have been, what to substitute for it. And, in fact, this was evidently not one of those points on which they were required to give judgment. In pronouncing so decidedly as it had done, upon the indefensibility of transportation, the committee had already concluded its meritorious labours. The question of the next experiment to be tried, is matter for another committee, and another protracted examination. There are many other conflicting systems of secondary punishment to be gathered throughout this world of ours; some differing from the rest very greatly in the respective details, but all alike repugnant to the very principles on which we have so long maintained transportation,—gregarious systems, solitary systems, silent systems, systems silent and solitary too,—and many more beside them;—surely there is

work enough here for at least one committee to discuss, though it sat the session long. In the meantime let us rejoice that so much has been gained by us, and that we have lived to see that for which Blackstone sighed in vain,—transportation condemned by a parliamentary tribunal, and the promise half expressed, of its speedy abolition under form and sanction of law. And in determining the reign of a great abuse, this is the greatest, as it is the first point to establish. “We have those amongst us,” said the orator of Athens, “who deem that they have fully confuted a speaker when they have asked him, what then must be done? To whom I answer with the utmost truth and justice,—not what we are doing now!”* An answer, indeed, that always holds the germ of all that, at a later period, may be conveniently said. It now remains only to be seen what the home administration will do to forward this good work. Their late proceedings, inconsistent and contradictory as they appear to our fellow subjects in the Antipodes, and even to ourselves, may doubtless be for the present accounted for, by their having prepared themselves for some vital change of scheme, agreeably to the decision of parliament, and the natural embarrassment which the breaking up of this overgrown absurdity is calculated for some time longer to produce. But of this they must assure themselves, that no change whatever, short of extinguishment of transportation, will meet the evil. The social system of Captain Maconochie may be good or bad: it can be tried at home quite as well as at our two penal settlements, Norfolk Island and Van Diemen's Land.† And whether it be intrinsically good or bad, the real grievance will remain untouched while the convict is transported to the scene of the experiment. Transportation in any case must cease. For a time, perhaps, many a bad substitute may be tried in its stead, and rejected. It is a consolation to know and feel, that, try what we may, we cannot try a worse system. Impunity itself were preferable to such a profanation of the public justice and humanity. And though we are perhaps out of season in these remarks of ours, which are on this side of the Atlantic, at least, esteemed as truisms that need no proof, let us here indulge ourselves in one powerful extract or two, from the pages of an able

* Demosthenes, vii. Orat. On the state of the Chersonesus.

† By a late order in council, New South Wales has ceased to be a penal settlement.

writer on the reasons why transportation has tended to the increase of crime at home.*

“The distance of the place of punishment from those for whose warning the punishment is inflicted, has an ill effect in two ways. 1. It diminishes the disgrace of a criminal’s lot, both by removing him from the eyes of all whose good opinion he values, and whose censure he dreads, and by putting him in the midst of many other persons who are in the same case as himself; so that, at any rate, there is nothing singular or remarkable in his condition; his fate is shared by so many, that it seems to be rather his misfortune than his fault. There are some criminals so utterly abandoned, so lost to all sense of shame, that no punishment can reach them but the infliction of physical privation and pain. But there are others of a higher class, by whom the disgrace of being branded as a felon, would in England be actually felt, which in New South Wales, the standard of moral estimation being one degree lower, they are favourably judged, in comparison with those more guilty, as having only committed one crime.....In the second place, the distance favours suppression of the truth, and the dissemination of false reports with respect to the condition of the convicts. For although, on the principle of *omne ignotum pro magnifico*, the name of punishment may sometimes lead persons who know nothing on the subject, to believe that transportation *really* is a punishment, yet those who are personally interested in the matter, and being led by their inclination to crime, naturally seek to ascertain the good rather than the bad parts of their probable destiny, are sure to receive from the convicts an exaggerated account of its pleasures, to hear from them little of its pains, and to apply to themselves the best part of the description, and whatever is most agreeable to their own tastes. To convicts they naturally apply for information, as being the best authorities on the advantages and disadvantages of a transported convict’s life. ‘They best can paint them who have felt them most;’ and criminals always have a pleasure and pride in seeming to cheat the law, and to outwit the officers of justice.....If transportation to the colonies is not the means of inflicting pain, then all must admit that the system ought either to be amended or abolished. If, on the other hand, New South Wales is not an agreeable retirement, or a new field of enterprise for unsuccessful rogues, if it is not the Paradise of felons, which it has been called, then our system is worse than if these notions were correct; for it is almost universally believed to be so; and it would thus seem to be contrived in order to obscure the pains, and to throw a false glare of light round the pleasures of transportation. In the arrangement of punishment, *pain inflicted and not publicly known, is pain thrown away.....*

* “Thoughts on Secondary Punishments,” by Archbishop Whately. App. ii. p. 133.

It is not sufficient that a punishment should *be* painful ; it should *seem to be so*.....Still more objectionable is a system which encourages not only the concealment of truth as to the pain really ensured, but the fabrication of falsehood as to the pleasures never enjoyed. The secrets of the prison-house should be known in all their worst features, that human suffering may not be in vain..... Above all things, in penal jurisprudence, we should avoid whitening our sepulchres."

We cordially subscribe to the foregoing extracts. We have not been sparing with our scissors here, as we felt that it was impossible for us to utter our own views in clearer, stronger, and, at the same time, more concise language, than Dr. Whately's friend and fellow-labourer has here done for us and before us. We shall not add to these extracts further than by referring our readers to the Parliamentary papers on transportation, for the last twelve or fifteen years downwards, for the facts which the writer had before him when he wrote, and for other facts of a similar kind, which have been since collected and made public, to the confirmation of the views so ably above expressed. We ourselves have read many a convict's letter to his friends in Britain. One form might have easily served the letter writers, with variations of name and date. In most of them, the mark or ill-spelt scrawl at the foot of an otherwise legibly worded epistle, showed plainly that a "scholar's" services had been put in requisition. The "scholar," boasting the accomplishments of reading and of writing too, and generally the greater villain from that very circumstance, might have misused his opportunity, or he might have simply obeyed his client's instructions ; but so it was, that, in every letter we have ever perused, every inducement seemed to be presented to the starving pauper, and perhaps incipient thief, to whom it was addressed, to face the law with the writer, that like him, he too might cheat it in a land of plenty afterwards. Whether the truth were conformable to the representation, is, as the last quoted writer says, not here the question. Suffice it, that it has been generally believed to be so ; and at quarter sessions, the freshly sentenced criminal has more than once laughed to scorn the chairman's portraiture of the horrors of transportation, and produced in court his pal's last letter from the antipodes to contradict the governor's elaborate dispatch, just printed and circulated by authority of Parliament.* We

* See the Appendix of Evidence to the First Report of the Committee on Transportation.

also know, that so deeply is the truth of this felt in Van Diemen's Land, that it has been seriously proposed in several cases to suppress, at the local post-offices, such letters from convicts to British correspondents as disclosed too favourable a view of the represented condition of the writers. In one recent instance the letter written by a man assigned to the present attorney-general of that colony, was opened after his sudden death in the colonial hospital, and all the influence of his master was required to secure its being transmitted to the poor man's patron, a clergyman in England, to whom it was addressed. It stated, that "it was a blessed thing for a poor man to be sent out here, and that he had been very lucky in his own place, *having little to do.*" It added, that in a few years a poor free man might, with tolerable care, "come for to keep his carriage, *like many others in this town.*" There are more carriages here, reverend sir, than I ever saw in —shire, and not kept by gentlemen either, as they used to be there, *for the shopkeepers all keep carriages here, and gentlemen don't.*" The objection to the transmission of this document to its address, was not its untruth, but its untowardness at such a censorious period as this. In fact, the Dublin meeting and Dr. Dickenson have well nigh frenzied the colonists, so that not only are those amongst them who side with Dr. Whately compelled to hold their tongues, but those also who will not flatter them at the expense of the mother-country, and every other community in the known world, had better hold their tongues too. We lately read a most amusing account, in a file of Hobarton papers for December 1840,* of the enormities of a barrister, which had drawn down upon him the heavy ire of judge, jury, audience, and public press,, including the newspaper which is our authority, and which, by the way, is edited by an emancipist. It seems that this unhappy barrister, in the course of his speech for the plaintiff, in a libel case, had endeavoured to move the jury to deal justly by his unpopular client, expressing at the same time his fears of an adverse verdict and defect of justice, from the strong partisan spirit of the place, and lamenting that he could not bring himself to be very sanguine of success, so long as a Colonial and not an English jury had to try the case. This was enough and too much. The hubbub in court that day was but the prelude of the storm manufactured for him by the public journalists *in their next.* What was worse, his

* "Hobarton Advertiser," vol. ii.

already unpopular client, made now thoroughly odious by the zeal of his advocate, lost his cause with costs!!

Indeed the government on its side too, has the means of keeping Downing-street in the most Egyptian darkness as to the real working of their condemned system. How any man can read all the statements on this subject without being aroused to the natural suspicion, that the convicts are not the only correspondents at the antipodes who take advantage of their remoteness, to tell their own tales, we are at a loss to imagine. We have the evidence of ocular witnesses, boldly speaking before Parliamentary committees and elsewhere, and possessing a genuine credit, which we shall be delighted to discover in their opponents. Their evidence is printed and circulated everywhere, and, we suppose, in time reaches Van Diemen's Land. If so, why do not the compilers of the ostentatious blue-paper books, which, under various names, are periodically sent home from the colony, either admit or, at any rate, notice, the subjects of these statements? For, as far as we can discover, these dispatch writers, or return compilers, do neither the one nor the other thing. It is painful to conclude, that they too, like the felon letter-writers, have seen, in the remoteness of their scene of action, an eligible occasion of *suppressio veri*, if not of *suggestio falsi* too. But what can we else conclude? Take, for instance, that costly thief-land, Port Arthur, with its adult and juvenile population of 1400 incorrigible souls. Its founder and sponsor, Colonel Arthur,* Captain Montagu, his nephew and secretary, and the like, all testify to "the improvement of morals," and the "satisfactory results," &c. &c. but in general terms,—specifying nothing, rebutting not a charge, however specific, to the contrary,—and furnishing no evidence beyond the circumstance, sufficiently explainable without any *very* satisfactory results, without any *moral improvement* at all,—of so many convicts being annually restored to their fellow-convicts out of Port Arthur, for what is called *good behaviour*. The only information we have been able to glean, of even indirect utility, from Captain Montagu's elaborated tables and returns, is the fact, which pagan education-mongers will not do ill to notice, that out of 455 boys at the juvenile establishment at Port Arthur, called Point Puer, 265 had received the precious boon of reading-lessons long before landing in Van Diemen's Land!† Besides this isolated point,

* See his evidence in Appendix to the First Report of the Committee on Transportation.

† Statistical Returns, &c. pp. 8, 15.

there is nothing in these statistical returns of greater consequence than the following matters, faithfully selected by ourselves from the able writer's own analysis at the beginning of his blue book: "Number of convicts at this settlement; convicts sent there a second time; removed for good conduct; deaths; number of boys at Point Puer and their ages; trades taught them, and work performed there; evening school; diseases; rations; labour expended by adults; value of work; timber cut; cultivation of gardens; vegetables produced; exports from Port Arthur; value of shipwrights' work."† And this is all! Surely if there be any regular discipline in the place, any moral or physical preventives employed by its commandant, to resist the evil tendencies of so numerous a crime-guild, it is here that we should have been able to inform ourselves of their nature and success; more especially since the publications of the last fifteen years, down to the admirable pamphlets of the Very Rev. Dr. Ullathorne, and also his evidence and that of others before Parliament, might have reasonably directed Captain Montagu's attention to this subject, in preference to "the returns of turnips and cabbages" grown for the mess-pottage of these people; about which what head can possibly trouble itself, unless it be a market gardener's or a cook's? And yet, strange to say, in the middle of his analysis, this colonial-secretary suddenly intermits it to tell us of his complacency at finding himself so *minute*, and his reasons for being so. His reasons are good, but we are at a loss to discover wherein he has acted upon them, and how he understands them himself.

"I have been *thus minute*" he says, (p. 8) "in bringing *the state of crime and punishment* under review at the penal settlement at Port Arthur, as the conduct of the convicts in other parts of the colony, depends so much upon the system pursued there; &c., &c. *Of its usefulness at present there can be no doubt.*"

We wish there may be none. But while the Captain resumes his analysis of the rations and vegetables, let us beseech her Majesty's imperial government to distrust these invariably favourable reports from their underlings abroad. *The military officers commanding detachments at Port Arthur can tell a different tale*; and they have no temptation to distort it. Port Arthur is very differently represented by the colonists and by their local government. To the former it is a sink

* Statistical Returns, p. 8, Table, No. 38.

† Ibid. pp. 7, 8, 9, 14, Tables, 25 to 46.

of unspeakable and miserable infamy; to the latter it is a source of patronage, and its secret administration a convenient blind when deception is to be practised upon Downing-street. So lately as the month of February in this year, Mr. Henderson, R.N. surgeon-superintendent of the convict-ship *Hindustan*, which had not long arrived from England with juvenile offenders, waited on Sir John Franklin, the Lieutenant-Governor of Van Diemen's Land, and represented to him, that, having accompanied or followed these lads from their ship to Port Arthur, their first destination, he had had an opportunity of witnessing with his own eyes, the horrid practices which in that abode of debasement are of daily occurrence. He indignantly denounced them to his excellency, with such details as the emergency of the case justified him in describing, and very properly and strongly protested against the fiendish barbarity of allowing his late charges to remain an instant within the influence of this widespread contamination. What his excellency's inferior officers may do in the matter is yet to be seen; to the best of our belief it is still undecided. In the meantime, we may be assured, that their first precaution will be to keep the matter snug, or at all events to disguise it from the home government. And when the next *Statistical Returns* come to be published, we shall doubtless read there of more crops of turnip and cabbage, and another vague assertion, that "the morals of the convicts have improved"!!! (*Statist. Ret.* p. 15.)

Thus, whether we regard, on the one hand, the inability of those, for whom the example is said to be intended, to profit by that intention, and take warning from a comrade's fate,—or, on the other hand, the want of a proper and efficient control over the home-secretary's colonial delegates of his penal administration, it is clear that the remoteness of its theatre altogether neutralises and defeats the punishment, and deprives the State of that guarantee of fitness and soundness in its own servants, without which the ends of its penal justice can never be satisfied. Hence, in either regard, transportation may be, for aught we know or care, the means of lavishing much pain upon individual offenders, but it certainly never can deserve the name of punishment.

Before we quit this part of our subject, however, let us indulge ourselves in one further observation, which, as far as we are aware, has not been anticipated by any previous writer. It has been assumed by us, because universally conceded, that crime in England has not decreased but has in-

creased, during the period that has intervened since the peace of Vienna. To what is it to be attributed? To transportation! say these. To diminution of capital punishments! say those. That transportation, though not the only cause, is the main one, we are well convinced. For if the abolition of the punishment of death be in itself an encouragement to crime, it follows that it must so operate in every community, or at any rate, in every British community. Now it so happens that, act by act, these successive mitigations of a bloody code (for the most part not so old as the Protestant Reformation), have been extended by local enactments of its legislative council to our colony of Van Diemen's Land. And yet it is cheering to observe, that at the very same period, there has been a great decrease in the number of grave crimes of all descriptions, even in that community of adept criminals. We attribute this decrease, not to the mere substitution of a punishment milder than death, but to the kind of secondary punishment so substituted. Had transportation been adopted by the colonial, as it has been by the imperial legislature, we verily believe that crime would have continued to increase among the expert provincials, in at least the ratio which characterises its progress in the metropolitan community. And when England shall have the wisdom to take pattern by her colony's example, and punish her own offenders at home, within earshot, if not within sight, of the inhabitancy of their own vicinages, whereby he who runs may read the truth as it regards their actual condition, then will crime progress no longer in England, but retrograde! We do not say that the solitary cells of Hobartton, Launceston, New Norfolk, Oatlands, and the like, or their treadmills, chaingangs, &c. &c. have reformed the convict and free population of Van Diemen's Land, nor that similar institutions will ever reform our English knaves. Far from that! We have, we trust, sufficiently exposed the inane platitude of any such a proposition. But though Captain Montagu and Colonel Arthur most egregiously err in asking any higher thing of their experimental system, we concede most blithely that external crime has been repressed by such, even in Van Diemen's Land. And this is all that police laws and men are ordained to accomplish. The which, if it be similarly attempted in Great Britain, and with similar success,—and if in these latter days we have learned from a penal settlement of ours, how to get rid of penal settlements altogether, and replace transportation with a wholesome substitute,—then shall we say, that, on the

whole, we are rather indebted to our colony for a wholesome lesson, than our colony to us for our expenditure upon it of money and of morals too! And now let Captain Montagu express in good, clear, bureau language, the cheering and animating results of domestic penal discipline, as established by the experience of society in Van Diemen's Land. It should be observed, that although the references to the tables are the same, this officer's reports were made at two different periods: the first is carried down to the end of 1835, the second to the end of 1838. We begin with the former.*

"I request permission to refer your Excellency more particularly to Return No. 31, where it will be found, that the number of murders has decreased from 16 to 3, or from $1\frac{1}{2}$ in every thousand of the population in 1824, to $\frac{3}{400}$ in 1835: manslaughter from $\frac{1}{4}$ in one thousand to $\frac{1}{40}$: so likewise in crimes against property. *Burglary has decreased from 21 in 1824, to 5 in 1835, or from $1\frac{1}{4}$ in one thousand to $\frac{1}{8}$: housebreaking from $\frac{1}{4}$ to $\frac{1}{40}$: stealing in dwelling-houses from $\frac{5}{12}$ to $\frac{1}{40}$, and with putting in fear in addition, from 1 in 1000 to $\frac{1}{10}$. Sheep-stealing has decreased from $\frac{1}{3}$ to $\frac{1}{4}$, although with great facilities, as well as greater temptation, from increased value.*

"I must be permitted, moreover, to observe upon the humane policy of a system of government, which is so conspicuous as is exhibited in returns Nos. 32 and 33. The first of these shows a decrease in executions, from $1\frac{1}{2}$ in 1000 of the population, *for the last six months of 1824*, and from $3\frac{5}{8}$ in 1000, in 1826, to $\frac{3}{10}$ *per thousand for the whole of the year 1835*; whilst the return No. 33, shows generally an increase in all minor offences and misdemeanors, more particularly from the year 1827, when the police magistrates were first appointed; prior to which period offences of such descriptions were, from a variety of causes, comparatively speaking, undetected, and consequently unpunished.....From the circumstance, however, of the annual increase in the minor crimes for the last two or three years not being proportionately progressive, as compared with previous years, commencing with 1827, the attention which has, since that period, been bestowed on them, tends to the conclusion, that even those offences are upon the decrease.—

"...."In 1824, the male convicts received that 'indulgence,' [ticket of leave] to the extent of $10\frac{1}{4}$ per centum; and, in 1835, $14\frac{2}{3}$;—and the females, in 1824, from $2\frac{1}{4}$, to $6\frac{2}{4}$; and of pardons, the males received, in 1824, $3\frac{1}{2}$ per centum; and, in 1835, $13\frac{8}{10}$; and the females, who, in 1829, (their first year), were at the rate of $\frac{2}{3}$ per centum; in 1835, were $1\frac{1}{4}$. By this return, it will therefore appear, that the improvement in the

* Statistical Returns, pp. 6, 7; Tables 31 to 36, inclusive.

conduct of the convicts has not been obtained by any increase of indulgencies, but, on the contrary, with the exception of tickets of leave to the females, by a remarkable decrease; so that it would appear to be ascribable only to an *improved system of discipline for the prevention of crimes, but more particularly of minor offences.*"

And so, too, in his second report, this gentleman again expresses himself to the like effect upon the same question.*

"The number of executions in the colony for the three years ending December 1835, was 37; *the number for the three years ending December 1838, was only 15; or not one-half; the number for 1838 alone, being 3*; and it is highly gratifying to find, that this more merciful system, has been *attended with a decrease in crime.*"†

"I would next call your Excellency's attention to returns 33* and 33** ; the former of which gives a summary of each description of the various offences brought before the police, for the half years ending 30th of June, and 31st of December 1838; and the latter a statement of punishments inflicted. It will be seen, that of the 13 descriptions of offences stated, a marked decrease has taken place in 9, those showing an increase being 3, the numbers in the other being the same."‡

"The latter return, more especially, shows that this decrease has been amongst the major offences, as the decrease in the number of persons flogged for the half-years has been 74, and the decrease in the number of lashes 8314, or nearly one-fourth."

These results are indeed as triumphant as the reporter of them imagines them. But then they tell against the very system they are invoked to defend. For if such great results are attainable in Van Diemen's Land, why not in England? And if in England, what becomes of transportation? There is, in short, an immeasurable difference between the impression produced by a present and palpable example, and that

* Statistical Returns, pp. 14, 15; Tables 31 to 36, inclusive.

† By reference to Table 32, at the end of the Captain's Report, it appears that in these years the total amount of grave crimes was only 15: viz. burglary, 2; cutting and maiming, 3; *murder*, 7; stealing in dwelling-houses, 3; and that the proportion of these crimes to every thousand of population, was, in 1836, $\frac{5}{11}$; in 1837, $\frac{7}{13}$; and in 1838, $\frac{3}{10}$.

‡ On referring to this table, we find that the offences here alluded to by Captain Montagu, are as follows: the *nine* offences are—*felony*, absconding, absence without leave, *drunkenness*, neglect of duty, insolence, idleness, *assaults*, and *sureties of the peace* (?) The *three* offences, are—disobedience of orders, *misdeemeanors* (?) and penal offences under colonial acts. The one remaining offence is *insubordination*. Surely there is much confusion and misapprehension in the above classification.

produced by the same example when localised some thousand miles off. And when once every British and Irish county has its own model-prison, penitentiary, or by whatsoever name its penal institution may hereafter be designated, we shall more than ever feel the good sense displayed by Captain Montagu, in the incidental observation to be found in his first report; where, speaking of the beneficial terror produced among the other convicts of Van Diemen's Land, by the neighbouring and familiar severities of Port Arthur, that prison of their own community, imperfect as it undoubtedly is, and much needing to be revised and mended, he says;*

"The conduct of the convicts *in other parts of the colony*, depends so much upon the success of *the system pursued there*, that an importance is in consequence attached to it, *which ought not to be lost sight of.*"

It must, however, be borne in mind, that "the success of the system pursued *there*," can only be notorious to the free and bond inhabitants of Van Diemen's Land, who are on the spot, and "having eyes, can see" it, and "having ears can hear" thereof. Upon them it manifestly operates, for the most part at least, as all punishment should operate. But, as to the mother-country and her inhabitancies,—Port Arthur labours under the same objections as those already pointed out by us with regard to transportation in the abstract: so far as British and Irish thieves are concerned, Port Arthur might just as well have no existence at all, as so remote an one. If the quality of the treatment bestowed at Port Arthur upon its scoundrel sojourners, can only be made familiar to our own offenders, when they have been brought over the ocean to see and judge Van Diemen's Land for themselves, it is likely enough that those at home, at whose expense they have gained their title to a free passage thither, will consider it far too late for any beneficial purpose. In a word, these penitentiaries of Van Diemen's Land, be their success in repressing the local progress of crime in that colony what it may, must be wholly ineffectual to repress the like progress of crime in Europe.

Thus much we have found good to say upon these matters of preventive legislation, involving very considerably the interests of Van Diemen's Land, no less than of the mother-country. But there occurs to us another, and as

* Statistical Returns, &c. p. 8.

we think, a far higher question; one which confines itself to the dearest interests of the weaker community exclusively, and therefore one which should not escape the attention of the stronger community, whose mandates are at all times capable of being enforced, even when they have not the recommendation of being just. If transportation is to be continued to Van Diemen's Land, what will become of the future nation of our own lineage, whereof the germ was planted there by us? There were two questions to be discussed before we could reconcile ourselves to see in our convicted criminals, the pioneers of our laws and civilisation in the Australasian wilderness! The first inquiry seemed to be, whether we had the right, as we unquestionably had the power, to possess ourselves of the virgin soil of the new-found country, in a way so strikingly opposed to what we read, in the earliest historians of the Anglo-Saxon race,* was the manner of the first occupancy of English soil, by the saintly founders of its civilisation? Whether there were not a kind of sacrilege, a profanation of nature herself, in bringing down upon her the very pick and choice of all the grossest vices of an enormous age, impersonated in the thieves and harlots of our over-populous and corrupted cities; and bidding them take possession,—till,—increase and multiply upon the earth? Whether, at all events, after we had, by much encouragement, succeeded in placing among them at a later period, the antidotal influence of a strong body of at least freemen, whom our inviting representations and solicitations to that effect, had induced to go forth from amongst their kindred and their homes in Britain, to seek a new establishment, as resident and proprietary population of Australasia,

* "Studens autem vir Domini [Cedd.] acceptum monasterii locum primo precibus ac jeuniis a pristina flagitiorum sorde purgare, et sic in eo monasterii fundamenta jacere, postulavit à rege, ut sibi totum quadragesimæ tempus, quod instabat, facultatem ac licentiam ibidem orationis causâ demorandi concederet. . . . Dicebat enim hæc esse consuetudinem eorum, à quibus normam disciplinæ regularis didicerat, ut accepta nuper loca ad faciendum monasterium vel ecclesiam, prius orationibus ac jeuniis Domino consecrant. . . . Expleto studio jeuniorum et orationis, fecit ibi monasterium," etc. (Venerabilis Bedæ Hist. Eccles. Gentis Anglorum (by Stevenson), lib. iii. cap. xxiii. pp. 211-12.) This was in the dark ages of Popery. Since the Reformation, England has followed a very different course in extending the blessings of her civilisation. Our savage forefathers received from their civilisers the bright example, and the hallowing practices, of pure worship and law. Moderns, on the contrary, have taught their wild proselytes to imitate them in their vices. And lastly, monkish pioneers are now replaced by convicts! Well might Lord Bacon, in the seventeenth century exclaim: "It is a shameful and unblessed thing, to take the scum of people, and wicked condemned men, to be the people with whom you plant."

whether it were a seemly and conscientious thing, at once to neutralise the antidote, and infect it in its turn, by pouring in additional supplies of the very poison against which we had invoked its aid? And, whether there were truth in the excuses which were sometimes offered?—whether there can be any truth in any excuses that by possibility ever can be offered for such folly? In short, it being, for the sake of the argument, granted by us, that the criminals of the British Isles should not be permitted to inhabit them with ourselves, nor breathe the air which we breathe, lest haply we ourselves might thereby become like unto them, and so the contamination overspread the whole land of our fathers; it was yet to be considered, whether, even in that hypothesis, we were authorised to rid ourselves of the contagion here, by banishing it among our brethren whom we ourselves had invited and encouraged to sit down in our most southern dominions; and, who had carried with them to those new abodes the same indelible character, the same inalienable rights of Briton and citizen, as they and we were born unto upon the soil of our common father-land? And when these questions had received their satisfactory solution, it was then to be inquired in the second place,—whether the proposed end were attainable by such means? Whether this deportation into exile and slavery of one part of our population, at the expense of the morality and peace of another part, were the likeliest way to uphold the peace and morality of the residue? But as our readers will have perceived, we felt our cause “armed so strong in honesty,” that we could afford to begin with the second question, that being the favorite one of the advocates of the system we impugn. (Of which, having shown that the solution is conclusive against them, and for us, we presume that the simple announcement we have already made of the principles involved in this deferred discussion of the preliminary one, will be more than enough to silence the most contentious. And therefore, we shall here content ourselves with a few closing hints, which we have gathered from the authorities already cited at the head of this article, as well as from other ones as yet unpublished, and which we hope may afford our readers the same insight they have afforded ourselves into the existing condition of Van Diemen's Land, and the bad influence on the community at large, and on the individual members thereof, which the anomalies of their social position, and the peculiar character of one half of their whole population, have enabled

their police-like government to exercise and consolidate. A few scattered details of this kind are well worthy to be preferred to the most elaborate argument of the *à priori* kind, even were our readers as prejudiced in favour of transportation, as, we doubt not, they are anxious for its final extinguishment.

Out of 45,846 souls, the grand total of the census of 1838, and which included children, no less than 18,133 were convicts of both sexes.* It is natural to conceive that, in a community thus constituted, the bond must engage far more of the maternal (or novercile) solicitude of its government, than the comparatively harmless and less important free. Accordingly we find, that of the reams of paper expended in dispatches, on either side of the ocean, touching the affairs of this island, a very scanty corner has at any period been allotted to the discussion of their interests. The bond have been everything; the people only something, when an opportunity has occurred of using them as "materials† for the punishment" of the bond. It was vain to remonstrate; the power of disregarding their remonstrances existed on the side of government: and, on the side of the free, there were far too many to be found, who preferred the system which peopled their locations with slaves, to the change which might substitute one less lucrative in its stead. Nor was the evil so severely felt at first. If the tenure of property was precarious, yet property itself was not then of so real and sterling a value as it has grown to be at this day. Profit and not capital was all that the first settlers were able to ensure,—and the unsettled state of the country, consequent upon the anomalous distribution of its population, was perhaps not unsuited to the straggling irregular occupations which brought them in their income. But this has long since ceased to be true of the proprietary or free portion of the community. A great and affluent body has gradually formed itself amongst them, having claims upon the government for consideration and patronage, and neither esteeming itself, nor deserving to be esteemed by others, as valuable only in so far as it can assist the crown's officers to chastise the outcast and keep the felon in order. In 1838 the exports of Van Diemen's Land had increased to the astonishing amount of

* Statistical Returns, p. 13; Tables, 17, 18.

† An expression actually used, and to be found in the correspondence of Colonel Arthur with the Secretary of State for the Colonies. See the Appendix to the First Report on Transportation.

£581,475, and its imports to £702,956.* Up to the end of the same year, 1,487,996 acres of crown land had been granted to different proprietors; 241,376 acres more had been sold by the crown in 403 different lots, besides 922A. 3a. 2p. of town allotments, realising the sum of £147,370 4s. 7d.† In the same year‡ there were entered inwards at the port of Hobarton alone, 370 vessels, with a tonnage of 64,454; and there cleared outwards 369 vessels, with a tonnage of 63,392. Everything, in short, exhibits to the view an immense progress of the material order in every department of speculation. The English appearance of the place, with its neat provincial-town-like buildings, and the numberless shops, warerooms, and manufactories, which greet the newly-landed stranger, may well complete the striking picture, by which we have endeavoured to establish the importance of this rising community. And well were it for that community if others were as deeply impressed with its importance, and as anxious to promote it, as we ourselves are conscious of being! What must the reader think, on the other hand, when he is told that, on every occasion when free institutions have been prayed for in Downing-street, by the united voice of so thriving a community, or when any other act of the veriest justice has been craved by its inhabitants, the *first* thought has been,—not to content the applicants, nor even to discuss the merits of their suit,—but to consider whether or not it can be entertained without detriment to the due working of the penal system, not of Van Diemen's Land, but of the mother-country! Yet such is the fact. And the concession of an elective House of Assembly to New South Wales, contemporaneously with the order in council which forbade the further exportation thither of our convicts, was announced by Lord John Russell in the Lower House, as not to be extended to Van Diemen's Land, because convicts were still to be sent thither, and because it was impossible to grant free institutions to a community in which there were convicts!! And, as if it were not enough that this colony should thus continue to be the sink and sewer of England's criminal off-scourings, it was announced by Sir John Franklin, at the opening of the session of his legislative council in August 1840,* that he had been positively instructed by

* Statistical Returns, p. 12, Table 5.

† Ibid. p. 13, Tables 8, 9.

‡ Ibid. p. 12, Table 4.

§ Minute of his excellency Sir John Franklin, read in the Legislative Council, 1840.

Lord John Russell to ask the council to vote out of the colonial revenues, the annual expense of the police employed in Van Diemen's Land to watch the transported felons of Great Britain! And accordingly we find, in the estimates of that session,* the sum of £25,146 18s. 9d. voted for the "police department," besides £2,033 5s. 5d. for the "mounted police," making together the enormous sum of £27,180 4s. 2d. for one year's police expenditure, on a colony where the free population, *including women and children*, does not exceed 26,055 souls! Neither is this all! The sales of land, as we have seen, had produced in 1838 upwards of £147,370. This sum, instead of being set apart, as the colonists had every moral right to demand, for the purpose of supplying the colony with immigrant labour, and thereby of increasing the value of that very soil which had been sold to raise it, has been carried over to the main stock of treasury-moneys, and thence disbursed in the miscellaneous expenditure of the colony. So that the dearth of free labour, now so deeply felt in Van Diemen's Land, as to have furnished the Whig ministry with something like a plausible pretext for the continuance of transportation a little longer, is owing in great part to the circumstance of the immigration fund being applied by the local government in payment of police and other charges incidental to the convict system, in preference to its only proper and legitimate method of application, and which, it is now said, would, if adopted in time, have made the settler entirely independent of the labour of the convicts! Surely this of itself is a heavy price to pay for transportation!!

But would it were the only one! It was wisely written by an old Attic heathen, that "the strength of a state is not surely to be judged of by its vendibles." If it were, the rapid summary we have sketched of the present state and value of Tasmanian trade and commerce, might more than outbalance these losses and deficiencies lastly set forth above. But there is something higher and deeper far than "vendibles." Reader! those vineyards are most rich and fruitful, and the price demanded is, as thou sayest, "an old song;" but dost thou rightly consider their situation, that they clothe the sides of Vesuvius? France, again, had her "vendibles," more abundant far than Van Diemen's Land can boast, and criminal and other laws to secure the fruition thereof to every owner.

* The Acts of the Lieutenant-Governor and Council of Van Diemen's Land; 4 Vic. No. 13.

But France had a demoralized population too, "savage itself, but with all the means and implements of civilization," as the historian of its revolution has described it; a far worse substratum for the *statu quo* than Vesuvius, or any other merely physical volcano! What became of the "vendibles" there,—and the criminal and custom laws invented for their use?—and what might be the market-value of either the one or the other, thinkest thou, in those days? For, be assured of this, neither vendor nor vendee took these matters into their consideration until their "vendibles" had circulated in quite an unexpected and irregular fashion. And if any man had uttered in the ears of France, before those days had actually come upon her, the warning which we are much tempted to address to the falsely secure proprietor of sheep and slaves in Van Diemen's Land, how extravagant and unbusiness-like would the calculation have seemed!

Van Diemen's Land, we have said, is essentially a penal settlement of convicts, and the free are but so many amateur turnkeys. Such is the estimation in which the government regards it. And if it be so, and if such it be intended it shall remain, we must say that we concur with Lord John Russell, in thinking free institutions for such a community quite out of the question. The very consideration of such a boon, or indeed of any other concession of the rights of free men, should be at once adjourned to the Greek kalends. If the free inhabitants of Van Diemen's Land and the home government concur in the design of making their colony the receptacle and sink of crime to their parent-state, there is nothing more to be said. Not only will it be the duty of the home government in that case to refuse to be guilty of so great an inconsistency, as any extension to that colony of rights fit only for a free country and free men; but it may even be doubted whether penalty can ever have fair play there, without reducing still farther those scanty remains of traditional rights yet subsisting among them. The discipline of a penal settlement or penitentiary, requires that, free or bond, all its inmates should be alike subject to the personal and domiciliary inspection and control of the officer to whom the supreme administration is confided; that his authority over his own inferior officers should be equally absolute, and that in short, his responsibility to Downing-street apart, no check whatever upon his actions should be suffered to exist. Immunity of the person, sacredness of property, castle-like inviolability of dwelling, are phrases

which should never be heard within a well-disciplined and well-conducted institution of this kind, far less should the rights they represent be acknowledged or even tolerated there.

But if the colonists of Van Diemen's Land do not desire this flagrant degradation of their soil, neither have we the inclination, nor have Secretaries of State the right, to govern them henceforth as they have hitherto been governed, far less to inflict yet worse things upon them! To use their island for the purpose of a prison, and themselves for its turnkeys and guard, is in us the worst of usurpation, if it be done by us against their free consent; as in them it were the worst of self-degradations, if that consent had been expressly or implicitly given. But if it be their wish to enjoy in that British possession the blessings of the British constitution, there is but one course for them to take. Let them eschew the penal system, and the fictitious lucre of slavery. Let them refrain from those ignoble lamentations over the temporary cessation (would that it were final) of the atrocious assignment system, soon, we fear, to reappear amongst them under another name and subterfuge! Let them in a word, by their manly refusal to undertake the drudgery of the slave-driver, convince the home ministry that they themselves are as ready to enter into the full enjoyment of all the rational freedom of their race, as any other colonists of this empire. But let them rest assured that until these preliminaries are clearly established, there is but one alternative. They will have to endure their present misfortunes for a long while yet to come, with no better comfort than they have hitherto found in its *quid pro quo*, bond labour.*

There is one subject peculiarly offensive to the people of a penal colony—their morality. We shall not enter upon it here,—it is not that we have been scared by their indignant censures of Dr. Dickenson, and the “Calumniators,” conveyed to the ears of the colonists themselves by free and emancipist mouths,† and to our eyes here in England by the

* Some there are, however, who, while convicts are to be manufactured, will not be wholly disconsolate. The respectable owner of convicts already once referred to, told a friend of ours, and a near neighbour of his: “I wanted to talk with you about the difficulty of getting labourers, since assignment has ceased. Would it not be as well that we should look about us, and use our influence, as magistrates, to get the bad characters hereabouts laid by the heels, and punished under the local acts, by making convicts of them? Then we could get them assigned to us; as I don't think that this abominable regulation against assignment applies to these kinds of convicts.”

† Two of the principal speakers at the great meeting at Hobarton, of the

free and emancipist-edited newspapers of the place. But the truth is, that we have no statistics before us which can enable us to approximate to an estimate of the excess of Tasmanian over metropolitan vice. That there is an excess, we cannot possibly doubt; least of all can we believe the more furious colonists, who assert that the balance of morality is *in favour* of their colony! Putting the convicts out of the question, we would ask, is it likely,—1. That the large body of Emancipists among the 20,000 and odd, who are free, contribute much to the aggregate morality? 2. That the masters have not been, in many cases, spoiled by their own despotism? 3. That those who, during a period of forty years, have been bred from childhood, in the presence of crime and convicts, and made precociously familiar with all the etceteras of their respective memoirs, have in all, or even a large proportion of cases, escaped the jeopardy and contagion? 4. That, above all, the unhappy progeny of convicts, or of the mixed marriages of convicts and free, have so learned to read and lay well to heart the maxims of even Pagan ethics, as to take example from the punishment only, and not rather from the crimes of those who gave being to themselves,—

——— “nequiores, mox daturos
Progeniem vitiosorem.”

And not to pursue these divisions and classifications of colonists any further, is it credible that their community, belying all former experience, should suffer no moral detriment from the every-day familiarity with scenes and modes of life, any one of which would singly suffice, in Europe, to wound at least for a while the freshness of the feeling of virtue? Why, their press, which teems with these monstrous efforts on our credulity, teems also with the flagrant proofs of the impudence of the invention!

The press of Van Diemen's Land has, perhaps, no parallel in the known world. Well supported in the colony, we fear that the execrations with which it cannot fail to be regarded every where else, tells more against Van Diemen's Land than any European declamation on its vices. With one solitary exception,* the newspapers published in the capital would be

29th April, 1840, were emancipists; one of them being the notorious *Lathrop Murray*. (“True Colonist,” 15th May, 1840.)

* The “True Colonist,” edited by Mr. Gilbert Robertson, a man of evident talent and integrity. His writings establish the former, his sufferings and consistency the latter. The sooner the other five Hobarton newspapers are ejected from the Colonial Society's reading rooms the better.

accounted a flagrant disgrace to their locality in any other part of the world. The acrid and degrading accusations, the intrusions into domestic life, which fill their melancholy columns, and which, to judge by their self-estimated circulation, must be much sought after by their subscribers, are a strange comment upon transportation. And stranger still, political partisanship has no concern in the matter. The only political paper, as far as we have discovered, is the *True Colonist*,—the only exception, as we have already remarked, to the heavy, general condemnation we have been obliged to pronounce upon the Hobarton press. All the others are as devoid of political intelligence and spirit, as of decency. Persons and private families are their only objects of attack, and politics are made entirely subservient to these gross purposes of the hour, and change, as their victims happen to be of one political complexion or another. Nor are these the only signs of the time and place. Two out of the five newspapers we denounce, are edited by emancipated convicts. One of these, the *Hobarton Advertiser*, is the court journal of the day, the confidential champion, it is more than whispered, of Government House. Two others are edited by free men, one of whom is a law attorney, in the secret service of the government,—but are the property of another convict, and are also the organs of the emancipated population. The *Courier*, the remaining newspaper of five, and the *True Colonist*, are the only two Hobarton journals entirely unconnected with convicts or emancipists. But in every other respect, there is no noticeable difference between the *Courier* and the majority of the newspapers of this Hobarton press. In one other respect, indeed, the *Courier* has a great advantage over its cotemporaries. Its editor, a needy young Irish conservative, has a brother who is the attorney-general, and eke, sole grand jury of the island! This print, therefore, is by turns at the service of the government and of the opposition, according to the course of intrigue, and whenever the family-interests are capable of being in any respects advanced thereby! Indeed, the existing government, if the recriminations of the warring newspapers may be believed, is not at all slow to profit by the vices of the press, having always a ready access to them, through their one characteristic vice—venality. This last fact is even a greater outrage upon decency than the press itself.

It will be seen that we have confined our remark to the Hobarton newspapers. There are three other journals pub-

lished at Launceston, in the north of the island. Of these the *Cornwall Chronicle*, perhaps a more disgraceful and more widely circulated paper than either of its contemporaries of Hobarton, is the only one with which we are acquainted. We believe, however, that the other two are an improvement upon the *Cornwall Chronicle*, at all events, in all but circulation. This paper, also, is reported to be a good deal under the management of the same low Hobarton attorney and government spy, to whose connection with one of the emancipated journals of the capital, we have already adverted. It is singular enough that both of the semi-official journals commend to the skies their immediate official patron, and assail with the coarsest and filthiest abuse, the private characters of his excellency the Lieutenant-governor and Lady Franklin!

If we turn to the local administration of affairs, we are still more astounded. It is said that Colonel Arthur has the honour of being its author. It is certain that it has undergone no change since his departure; no change beyond the absence of its master, and the consequent rise in influence and power, of the underlings and kinsmen whom he left in place, and bequeathed to his quiescent and peaceful successor, Sir John Franklin. If then, there were evils felt in the days of Colonel Arthur's active superintendence, and traceable to the policy of that administration, they are not likely to have been lessened either in quality of amount, in these days wherein superintendence of any kind no longer exists. The Arthur policy is in greater vigour than ever: the clever ruler, who restrained it within certain limits of injustice, has been recalled.

As far as we have been able to gather from the papers which support Colonel Arthur's two nephews, Captains Montagu and Forster—the one colonial-secretary, the other chief police magistrate (and now or lately acting as colonial secretary too, in the absence of the former in England)—it is evident that these administrations of our far-distant province entertain nearly the same views of what a penitentiary, on a large scale or a small ought to be, as we have already expressed. Nothing can be more admirable than their system of government! It is founded on the simple premiss that Van Diemen's Land is an English penitentiary or gaol. Their principles of policy are borrowed from the police. Equality of free and bond is the prime one; equality without liberty. All are subject to the same surveillance alike. All alike are made the instruments of government. Its spies are taken indiscriminately from, and scattered at random,

among bond alike and free—*gentlemen*, (colonially so), whether fit or unfit for crown appointments, are readily made the objects of favour in this way, if inclined, on their side, to spy out and report the evil doings of others, over whom the government has any hold or power of annoyance. Convicts, if sharp and faithful, are in like manner employed as spies upon one another, and also on those above them, or in their vicinity. Free men and convicts form that powerful and costly body of police, to which we referred a few pages back, but not in their due proportions. The convict policemen are four-fifths of the whole number; and many of these are drafted in from some place of punishment, as a reward for services there rendered in the shape of *espionage*. Convicts and free are equally competent as witnesses in the courts, as well on the crown side as *Nisi Prius*; and this it seems, whether the convict has received a local sentence or not! At least, one late case has been mentioned to us,—that of a contested claim to land at Pittwater, in October 1840, where suspicion of forgery and fraud having been attempted by the defeated party to be thrown upon a conveyance, the only attesting witness to which was a convict, who was also at the time of this investigation undergoing, at Port Arthur, a second sentence inflicted on him in the colony,—the party entitled under the deed was not permitted to go into secondary evidence in proof of the handwriting, and the fairness of the impeached transaction; but another day in court was given, and the parties were directed to employ the interval in taking the evidence of this credible and reputable witness under interrogatories, to be sent down to Port Arthur for the purpose! We may here recall what was once openly said in the supreme court by that able officer, Mr. Justice Stephen, then attorney-general of Van Diemen's Land, that "if he were ever base enough to promote the conviction of an innocent man, he would undertake at any time to find any number of witnesses at a dollar a head!" In short, the embarrassing dilemma growing out of the anomalous mixture of the bond and the free, is easily and briefly evaded in Van Diemen's Land, by recognizing this primary equality before its prison-regulations and laws, of all the inmates of the place; and by allowing no local distinctions afterwards to infringe that level line, beyond such as are unavoidable in the working of every gaol or penitentiary; a *governor*, namely, and assistant! Somehow or other nevertheless this system does not work well for the interests of justice.

A magistrate at Richmond, whose interesting work on Van Diemen's Land tells largely in favour of his capacity and zeal for colonial interests, had dismissed a disobedient or insubordinate constable under his authority. Unfortunately, it was not to obey *him*, nor be subordinate *as a constable*, that this man had received his appointment; and the justice soon found out his mistake. The man was a spy! His employers were appealed to, and he was reinstated in his office, with an admonition to his worship, to be more careful another time!

Sometimes, too, the spy or equality system, works no better for the interests of the government itself. A crown-ferry was proposed to be established across the Derwent, at a place called Bridgewater, and tenders were made for the lease of it. A Mr. Murdoch, the successful competitor, entered, without a formal lease being prepared, into pernanacy of the tolls; but, with all his endeavours, he failed to make them as profitable as he had hoped, owing to a breach of contract on the part of the government. A treaty ensued; a draft lease was prepared by the crown solicitor; but the lessee refused to execute it, as it did not contain all the terms of the particulars of tender. The government had now the option, either to vacate the contract altogether, or to frame the lease according to its own stipulations, and compel the lessee specifically to perform his. True to its character, before it would make the election, it required to assure itself which course of the twain would be the most lucrative. Accordingly, very soon afterwards, a man from the chain-gang, *wearing irons*, made his appearance at Bridgewater ferry, stationed there by orders of government, under some now-forgotten pretext. It was observed by Mr. Murdoch, that the man was very curious in his inquiries, as to how many carts, oxen, &c. &c., were crossed every day at his ferry. Suspecting his object, he directed his ferry-men to falsify the number by treble its daily amount. The plan succeeded. Delighted beyond measure at so rich a booty being now within grasp, the government determined its election, by vacating the contract, and taking the ferry into its own hands. Mr. Murdoch was thus rid of a troublesome bargain. The government has since discovered its mistake, and the fallibility of the spy-system. The net revenue of the ferry is far less than the rent formerly paid for it by Mr. Murdoch!

But this is a rare instance. Defective in the extreme, as

regards the public good, *espionage* is a wonderful means of promoting the governmental interests. Of the local prerogatives, there is no branch more jealously maintained by the colonial secretary. The solicitor-general, Mr. Jones, brought a clerk with him from England, who died at Hobarton. Up to his death he received his salary from the colonial treasury, agreeably to an understanding between Mr. Jones and the government, on his receiving his appointment. The solicitor-general appointed another clerk to the vacant clerkship, and notified it to the colonial secretary. That officer refused to sanction it, and in the face of every precedent to the contrary which British practice affords, claimed the right of nomination. It was in vain for Mr. Jones to represent to the colonial secretary, that none but the barrister could possibly determine the capacity of the barrister's clerk; and that the trustiness of the nominee, being a matter in which his private clients as well as himself had no trivial concern, was rather a matter for his own satisfaction, than for that of the government. The secretary refused to recede from his demands. The matter is understood to be at this moment before Downing-street. Meanwhile, Mr. Jones, naturally disinclined to intrust into such hands, so formidable a right of access to the secrets of his professional and domestic privacy, has been compelled to pay £130 a-year for the privilege; thereby reducing his own official salary to £470 per annum; the local government having stopped his clerk's pay until Lord John Russell's answer is received! In the mean time, and before that answer can be possibly obtained, Mr. Jones is suspended upon a new ground raised by the local government:—this appointment, we ought to observe, was conferred in England, by the royal sign manual. Had the solicitor-generalship been given to one of the more docile "bar" of Van Diemen's Land, the colonial secretary would have found no difficulty in acting precisely as he pleased.

We have spoken of the newspapers. They are evidently an admirable armoury, full of all kinds of tools of statecraft! If an officer is tempted to run restive, and is too punctilious in the discharge of his duty, to afford a plain reason for dismissal, it has been observed to us by those who know the colony, that the law attorney or some other unofficial personage of the press, is employed to write in the newspapers, asking, in the name of the public, why such a wretch is suffered to exist as a public officer? This probably will be followed up by a regular succession of attacks in subsequent

numbers, until the requisite amount of unpopularity in the journal-ridden colony is insured. Then comes the dismissal. And, last of all, as a finishing blow to the wretch, should he dare talk of an appeal to Downing-street, there comes *Io Pæan in our next*; and the grateful acknowledgment of a supposed public is confidently appealed to, ever after, by the wreakers of the mischief. This has been tried with much success in a variety of cases. The late suspension of Mr. solicitor-general Jones, is one of the very strongest instances we know of its temporary success. This gentleman has furnished the different newspapers in the interest of the attorney-general, as well as of others as high in local office, and as hostile, with matter for an almost weekly succession of savage attacks, during the period of *more than eighteen months*, down to and inclusive of the day of his suspension! We gather from the *True Colonist*, the only paper not arrayed against him, that these attacks were invariably coincident, *both in date and matter*, with the various "correspondences" passing between himself, and his official superiors here and in Van Diemen's Land.* In one case, it seems that a brutal attack of this kind in the *Courier*,† was accompanied with *an extract* from a dispatch, written by him, to Lord John Russell; and which, as it contained an appeal from some decision of the local government, the writer was, by official custom, obliged to forward *open*, through Sir John Franklin!! What was worse, when the solicitor-general drew his Excellency's attention to the article in the paper in question, and asked for an inquiry into this palpable breach of official confidence, his application was answered by the colonial secretary, and rejected; together *with a reprimand for his having appealed to the lieutenant-governor, as though against himself!!* It may be as well to mention, that the offence of this gentleman, which has been assigned for the suspension from office at last accomplished upon him, is his refusal to agree to an abrupt proposal of his hostile colleagues, the attorney-general and crown solicitor (of whom the latter, *within ten days afterwards*, absconded to Singapore, with £2000 of public money), for the substitution of himself in the place of the former officer as criminal pleader, and of the latter, as crown prosecutor at quarter sessions; which last post, by the way, he could not, as queen's counsel, with any regard to

* "True Colonist," vols. viii. ix. x. *passim*.

† "Hobartton Courier," 23d Oct. 1840.

professional decorum, ever consent to fill.* But we believe that this, and the other more recent arbitrary doings of Sir John Franklin's officers, will soon receive the attention of Parliament.

Another of these instances, at the risk of fatiguing the reader, must not be forgotten. Mr. Gregory, an old public servant, in 1834, received the appointment of colonial treasurer in Van Diemen's Land. Unfortunately for him, a seat in both councils is inseparately annexed to that office. In Canada, the legislative councillors, though appointed by the crown, hold their seats for life. In Van Diemen's Land, the legislative councillors are appointed by the crown, and hold their seats during the lieutenant-governor's good pleasure, or his secretary's. But those legislative councillors, who hold official place besides, are in a far worse position as respects this tenure, than their unofficial colleagues. The latter are appointed *per capita*, to their seats at the council table; and sit as the Hon. Mr. A., the Hon. Mr. B., &c. &c. The former sit as public officers, and not as individuals; their seats in council are inseparable from their offices. Hence, whenever they have succeeded in making themselves so obnoxious to the governor or colonial secretary, that their removal from the council becomes inevitable, their deprivation of place and salary follows as of course. So it was with Mr. Gregory. A man of courteous manners, and well-tryed zeal in office, an admirable accountant, and one whose independence of circumstances was only exceeded by his independence of mind;—there was perhaps scarcely a man in the colony who so generally commanded confidence and esteem,—as there certainly was no one whose qualifications for his office were more universally conceded. The Issue Bill, a measure of more or less consequence we suppose to the local government, came on in council, during the session of 1839. Mr. Gregory voted against the other official advisers of the crown's representative on that occasion. His enormous conduct, in regarding too literally the terms of the oath he had sworn, "faithfully to advise his Excellency," was bitterly represented by Sir John Franklin's government, to Lord John Russell, and his disgrace demanded. Lord

* The "True Colonist," vol. x. Nos. 1, 2. As No. 1 of this journal, also gives an account of the late dismissal, in the same week, of the commissioner of the Court of Insolvency; founded on that gentleman's refusal to recognise, much less to obey, the directions of the colonial secretary, as to his judicial and ministerial conduct! This is centralisation with a vengeance!

John Russell refused to interfere, and left it to Sir John Franklin, to undertake at his own responsibility, whatever measure he might deem necessary under the circumstances. This ambiguous document was rashly interpreted in a favourable sense; and Sir John Franklin, in August 1840, removed Mr. Gregory from the colonial treasury and the legislative council;—and at the same time, with much seeming inconsistency, rendered to his merits, as well in the *Gazette*, as in the official announcement of his dismissal from office, the strongest possible testimonial of his valuable services for so many years in that office!*

Another gross instrument of these misrepresentations of British dominion, is of a peculiarly unconstitutional order. There is perhaps no officer more deservedly exclaimed against than the present attorney-general, brother, as we have observed, of the editor of the *Courier*. This individual owes much to the influence, now of all others transcendent, of the Derwent Bank, whose manager happens to have a seat in council with him, and the honour of being his father-in-law. This bank was founded in Colonel Arthur's time, and by members of his government, chiefly for party purposes, and the Colonel and all his colonial relatives have large shares in it. It is a most powerful engine, and has been even more so. Till of late years, no crown officer dared to be the customer of any other bank. Every one who received an official announcement of some appointment to place, received about the same time with it a semi-official, quite as intelligible, requiring him to become a customer of the Derwent Bank, if not already one. There was no one found to withstand this tyranny in Col. Arthur's time, nor under Sir John Franklin, until a police magistrate, Captain Gardiner, of Avoca, as it is said, applied formally to his Excellency, and won from him the inadvertent disclaimer of so base an interference. Five other officers, on hearing of it, at once proceeded to use their new-found liberty, and withdrew their accounts to other banks! Shorn of so much of its supremacy, still is the Derwent bank understood throughout the colony to be one of the best police engines now extant. It crushes whom its allies will, so soon as the stream of vicissitude has whirled the victim amidst its wheels. It justifies the opponents of state banks in the American Republic. In return, a goodly slice of patronage and preferment is allotted to this useful instrument.

* "True Colonist," August 1840.

Its debtors, particularly the less endowed sort, are all pronged into place,* and their salaries shovelled into the cashier's strong box; and, the son-in-law of its managing director shall continue to be attorney-general yet a little longer!

There did till lately exist one incumbrance or drag upon the smooth wheels of power, which has been most wisely removed by the recent act of council, 4 Vic. No. 33. We allude to the practice of trying criminals by a jury of seven military officers, instead of the jury of twelve civilians, as in *nisi prius* cases. It was felt by the oppressed colonists that a military jury afforded them a guarantee of life, liberty, and reputation, which, in the absence of free institutions, and in the presence of an influencing government and its banking system, none of them would be able to promise to themselves from twelve men, its debtors or its spies, in either case its creatures. And well did these gallant jurors justify the popular confidence. The government did not feel easy, so long as they were permitted to exhibit in their own persons that solitary example of a British institution, worked out with British spirit and principle. Gold could not corrupt them, and *espionage* had no play, where the masters of the spies had no control. And when last winter, the measure of their transgressions of the colonial principles of good government was filled, by their verdict against the crown in an indictment of a farmer, for beating off his land a director-general of roads whom he caught trespassing there, the colonial secretary and attorney-general resolved to make a short and clean work with these military juries. Accordingly the act above alluded to was passed on Guy Faux Day, 1840, abolishing for ever the insubordinate juries of seven, and substituting their civil juries of twelve, —which had more than once approved themselves so *civil* and indeed accommodating, in libel and other cases, where the "Queen's representative" was in any degree supposed to be interested; insomuch, that now no man thinks of measuring character in Van Diemen's Land by its degree of estimation with a jury of the place. Indeed, this amenability of the new tribunals to reason has been amply established already in the case of the *Queen v. Addison and others*, an *ex officio* information of the attorney-general for a libel on a legislative councillor, the first instance of the kind known in the island. But then this councillor was his father-in-law, Captain Swanston!

* "True Colonist," vol. x. No. 1.

The supposed libel was contained in the petition of the defendants to Downing-street. The facts are shortly as follow. A question of a title to certain land had been pending between a Mr. Lord and the petitioners. It being asserted by the latter that the grant-deed from the crown to the former had improvidently issued, in violation of their own previous title to it, they were advised to memorialize the Lieutenant-Governor for leave to use the sovereign's writ of *scire facias* to try their right to a repeal of the grant. The memorial was presented and supported by affidavits. The attorney-general, however, who was also retained by Mr. Lord as his private council in the matter, in the face of law, or perhaps in ignorance of it, and of British practice in such cases, refused his certificate in favour of the issue of the writ, on the ground that it was a prerogative writ, and *therefore* one that might be in any case granted or refused at the discretion of the crown!!* The law officers of England, to whom the matter was thereupon referred, have since upset this notable position. In the mean time Mr. Lord, pursuing his advantage, commenced an action of ejectment against the petitioners. The attorney-general conducted his case. On the 14th December, 1839 however, the defendants in this action obtained a verdict by reason of their possession for twenty years, under the 21 Jac. I. c. 14. A motion for a new trial was afterwards made by the attorney-general, again as counsel for Lord, but owing to a difference of opinion between the judges as to the applicability of the statute to the colony, it proved unsuccessful. At the next session of the legislative council, a bill was brought in by the attorney-general for the repeal of that statute! Hundreds petitioned the council against the bill; Mr. Lord was the only petitioner in favour of it. All the unofficial members, except Captain Swanston, opposed the bill, which, however, passed into a law† on the 21st September, 1840, with a clause suspending its operation until the queen's pleasure should be known. The petition to the secretary of state was the natural result of that clause; and the petitioners took the opportunity of rebutting many alleged misrepresentations of themselves and their cause, contained in Mr. Lord's petition to the council. And as the council had

* A little acquaintance with his law books, will, by and by, we hope, instruct this learned person, that prerogative though it be, it is also a *writ of right*. (Sir Oliver Butler's case, 3 Lev. Rep.)

† Acts of Council, 4 Vic. No. 17.

‡ Petition of Messrs. Jackson, &c., to the Secretary of State, p. 9.

printed that petition on the motion of the attorney-general, it was natural that the reply to it should be printed by its authors, and circulated as far as might be necessary for the purpose of rebuttal. Unluckily for the petitioners, however, they had also laboured to explain away the adverse vote of the council, by some remarks upon the peculiar position of the place-holding members of it, in regard to their means of subsistence; and of Captain Swanston's vote they said, that it "*may be accounted for* by his being a near relative of the attorney-general, whose character is so deeply implicated in this case;* and moreover, by his being interested in another case, where the statute of James would have the effect of defeating a grant that had been improperly obtained from the crown." This was the libel!!

The audacious petitioners having been brought up, *on a bench warrant*, twelve civil jurors, first fruits of the new Jury Act, met and voted the above sentence a wicked libel. Of the four petitioners, the poorest was fined *ten pounds* and sentenced to *three weeks'* imprisonment; the others were fined *one hundred pounds apiece*, and sentenced to *seven weeks'* imprisonment!!† All four underwent their sentences by confinement, in one cell of 17 feet by 11, on the felons' side of the common gaol of Hobartton, with the worst of offenders in their immediate neighbourhood, and with the horrid remembrance that their own cell had been tenanted not very long previously by a wretch under sentence of death for murder and cannibalism,—and that another unhappy prisoner had, more recently still, ended there his earthly woes by suicide! If this case reaches Downing-street, surely it must draw down their indignant sympathies who have the power to redress it.

Out of the remaining facts before us, we have only room for a selection. Those we have recounted show plainly how unsafe a thing it is for any man to choose a habitation in a penal colony, who is not prepared "to pray for good Mr. Squeers, and love Master Wackford Squeers, and not object to sleep three in a bed, as no Christian should." Happy, on the other hand, are those who are compliant! The proprietor of the *Hobartton Advertiser*, a Mr. Abbott, whose editor is an emancipist, coveted much a certain piece of land, which,

* By his acting as private counsel of Lord, at the time when, as law adviser of the crown, he pronounced against the *scire facias*.

† "True Colonist," 5th February, 1841

having been put up for sale in 1831 by the crown, had been bid for by himself and a gentleman named Sharland, and knocked down to the latter. The deposit was paid, and the purchaser took possession. The unsuccessful party tried to move Colonel Arthur to give him another chance, but in vain. After some years, Mr. Sharland made a disposition of his property, under which the lot of land became vested in his son; and he requested Colonel Arthur to retain the grant-deed to himself, already executed by Colonel Arthur and perfected, and make out one instead in his son's own name. That son had incurred official ire, by his sympathy on behalf of a gentleman, about that time most unjustly dismissed from the colonial secretaryship, and replaced by Captain Montagu, Colonel Arthur's nephew. Colonel Arthur being at that time on the eve of departure for England, nothing more was heard of this land until after Sir John Franklin's arrival, when the new grant-deed, although actually engrossed and executed, and ready for delivery, was suddenly impounded and its issue stopped, in consequence of a renewed application of Mr. Abbott to let him have the land at its prime cost in Mr. Sharland's stead! The reason assigned for this modest request was, that he *would* have bought the land long before 1831, had he not supposed that it was included, by overmeasurement, in other land previously sold to him by the crown. A board was named of two persons, holding offices at the will of the higher powers, and moreover personally hostile to Mr. Sharland and friendly to his opponent. Their enquiry was a secret one; only Mr. Sharland, jun. was permitted to attend it, but his father was peremptorily refused. Their report was most unfavourable to his case; the colonial secretary immediately confirmed it; and a new grant-deed was made out from her Majesty to Mr. Abbott. This was in 1838, after Mr. Sharland had been seven years in undisturbed possession of this land. Within a few weeks, Mr. Abbott sold a quantity of land, comprising this very lot, to one of the parties officially concerned in the transaction, and who has since resold it, not unprofitably, to Mr. Orr, a merchant in Hobarton! Mr. Sharland's appeal to the secretary of state not having been accompanied with the necessary documents, all of which were in the hands of Sir John Franklin, in spite of applications on his part to the colonial secretary, was unsuccessful. Being advised by counsel that a *salvo facias* would lie to repeal the grant to Abbott, and desirous to try the question, he wrote to the acting colonial secretary, Capt. Forster, in November 1840, acquainting him

with his counsel's opinion and his own intention, and applying for the grant-deed originally made out to himself, and which, as we have observed, was a *perfected* document, and entrusted by him to the late governor's custody, for a specific purpose, never carried into effect. He was told in reply, that "it was not in the lieutenant-governor's *power* to comply with his request." On receiving this letter, he begged his counsel to call at the secretary's office to know the reason. That gentleman waited upon the assistant colonial secretary, and was informed by him, that he did not know where the deed was; *that it was most probably torn up, at least it ought to have been!!* Mr. Sharland's counsel then asked him whether, if it should be found, he would be able to have a sight of it, for the purpose of preparing the petition for *scire facias* according to form? He was told, "Certainly not! Do you think we are going to furnish you with weapons against ourselves?"!! And, in fact, the injured party has been accordingly reduced to make a second complaint to Downing-street.

The fact is, that as with the life, liberty, and fame, so too with the property of a free colonist,—the only principle that guides the colonial government, even in its comparatively juster moods, seems borrowed from some code of gaol-regulations. No man, as it seems, is permitted to enjoy that protection of property which British law can insure to him, unless the interests of the penal government demand it. And it is most painful to observe, that so much has been the loss of virtue in these once British people, that even the free colonists themselves, with very rare, but honourable exceptions, seldom think of invoking, on the justest side, the nobler shield of law. Of the constitution and their inalienable rights of citizens freeborn, we seldom find a trace in any of their publications but the *True Colonist* newspaper. In almost every litigated question between the local government and the trembling proprietor of lands, or chattels personal, the great point on both sides seems to be, to win and keep the good opinion of the secretary of state; that is, of the chief clerk in the under secretary's office! The dispatch of the secretary of state is generally considered decisive; even supposing that the oppressed party has had courage enough to incense his masters by appealing to that tribunal. "This is a great wrong," quoth the one party, "for look to what his lordship has written about it!" "It is no wrong at all," cries the other side—"for see! I have a later dispatch than

yours; and it tells a very different story." The following illustration of this most debasing tone of feeling, will also serve to show, that the prerogative tendencies of the colonial government are too bold and high-flown to be confined to ordinary means, when these are inadequate to the greatness of the ends.

The Church of England enjoys no ascendancy in Van Diemen's Land. All denominations are theoretically and practically equal before the law of that colony. Let not our readers imagine that this is due to the liberality of the rulers. It is only to be attributed to the general system, to which we have already adverted. There is no independence tolerated in gaols,—not even ecclesiastical independence. There are no incumbents; only chaplains. So it is with Van Diemen's Land. Before the Church Act passed,* the different denominations received indiscriminately their share of government monies; and churches and parsonages were built at the public expense, for the use of other religionists, as well as for that of the Anglicans. Some jealousies and difficulties connected with these distributions of bounty, as well as the uncertainty of the tenure by which the religious edifices were held, induced the government to bring into the council, the bill commonly called the Church Act: by which, the equality of all denominations, especially of those of Rome, England, and Scotland, was asserted; and the future issues of church-building funds and ministers' stipends, regulated according to one uniform scale. And, as to the tenure of churches and other buildings, "*whether now or hereafter erected, or now in progress of erection, in the building of which respectively any public monies shall have been expended,*" the third section of the Act provided a sufficiently clear and easy rule, as one would think, whereby to decide all contested questions soever. For, by that section, the original user or enjoyment was to regulate the dedication of the freehold of the fabric, and thus these buildings were for ever transferred from the crown, "to be for ever dedicated to the purposes, and holden solely for the uses, and be appropriated to the service of the religious denomination, for which respectively such buildings were erected originally." A question has been for some years pending under this clause, between the Presbyterian and Anglican inhabitants of Bothwell on the Clyde. A church had been erected in 1830-1, by go-

* Acts of Council, 1 Vic. No. 16.

government and the inhabitants, of which the Presbyterian minister and his flock had been in peaceable possession from the moment of its erection, down to the passing of the Church Act, and even to the present time. From some occasional visits of Episcopalian ministers to this church (the only one in Bothwell) for the purpose of administering their rites to the few English residents of the place, as well as from some early intentions of Colonel Arthur, the Anglican sacchdacon, in the course of the year 1837, laid claim to the whole of the fabric as Episcopalian property. On their side, the Presbyterians insisted on their sole and undivided right to the church; affirming that the visits of the Episcopalian clergymen had never been admitted by them as of a right, but merely out of courtesy; and that, even if Colonel Arthur's intentions could be in any case urged against themselves, that officer in his last minute of council had expressly and formally adopted intentions altogether opposite.* A third party, the Economists, interpreted the voluminous evidence of either claimant, to have established the joint title of both to the same fabric, *per mie et per tout*. The government again asserted its own right to it, on the ground that it was a case not within the Church Act at all. And lastly, the Scottish heir at law of a Mr. Alexander of Sydney, put in his claim to the soil on which the church had been built, as having been originally granted to the deceased, and afterwards by the error of the surveyors included in the township of Bothwell. This was considered by all thinking men a proper case for an information suit in the supreme court in equity. But the government had only asserted its own claim, with a view of granting away its supposed rights to the Church of England; and, as to the stranger in the distant land, woe to the weak! The Presbytery was invited to have recourse to law, as the secretary of state had directed that either this question should be settled in that way, or else in the event of both parties refusing to commence proceedings, that the governor and his legislative council were to pass an Act, giving over the church to the Anglicans, with a lien upon it in the Presbyterians' favour, for the amount subscribed by members of their body in 1830-1!!!† It was in vain for the moderator to remind the governor that the Presbytery being

* "Vindication of the Presbytery of Van Diemen's Land," by James Thomson, Esq. A.M., pp. 161-2.

† Evidence in the case of the Bothwell Church Bill, pp. 45-46.

in the undisturbed possession of this church, was in a condition to repel aggression indeed on the part of others, but could not itself take the initiative in proceedings either at law or in equity. The acting colonial secretary affected to see in this remonstrance, only an open disrespect towards his *alter ego*, the governor, and his idol, the secretary of state. The threatened interference by enactment, was accordingly resorted to. The archdeacon's own registrar and proctor prepared it; and the attorney-general, who had previously consented to take a retainer from the Presbytery, although fully aware of the intentions of the government, and had even gone so far as to advise them on the management of their case, suddenly informed them, that, in compliance with instructions *just received*, he must abandon their cause, and prepare himself to bring in the Spoliating Bill! In the face of every principle,—in spite of the non-existence of any law, British or colonial, to warrant such a procedure, and in defiance of the earnest protest of the Presbytery,* this outrageous measure was proceeded with. So assured were its authors of success, that they rashly paraded, for the sake of a bastard popularity, the preliminary mockery of an investigation at the bar of a council, which had confessedly neither the power to commit two contumacious witnesses, nor to examine any one upon oath; and some wretched stuff out of the colonial secretary's letter-book, which they called "Evidence in support of the Preamble," was produced and printed. Nor was this the only farce. The solicitor-general, who had nothing whatever to do with the Bill, was ordered to appear at the bar of the council, *and prove its preamble*;—a Bill, he it observed, which, whether it were proved or disproved, was to be carried through at any cost! That preamble consisted of five recitals. Of these, the second, third, and fourth, set forth the exclusive title of the English, and the recent usurpation of the Scottish Church. But the first and fifth recitals are so startlingly contrasted, that they merit a separate

* "To his excellency Sir John Franklin, Knight, &c. &c., and to the honourable the Legislative Council, &c.

"We, the undersigned, hereby beg, in the name and on the behalf of the Presbytery of Van Diemen's Land, respectfully to enter our protest against the interests of the said Presbytery being at all affected or committed by the bill now before the honourable Council, relative to the church at Bothwell; and we further protest and declare, that the said Presbytery is in no way a party, or to be considered a party, to the bill referred to. J. Lillie, Moderator; James Thomson, Procurator and Agent of Presbytery of Van Diemen's Land." (Protest to His Excellency in Council; ordered to be printed, 24th September 1840).

rate consideration. The first recited verbatim the third section, already quoted by us, of the Church Act; *the law of the land*, which not even this bill proposed to repeal! The fifth recital was as follows: *

"And whereas, his Excellency the lieutenant-governor of this colony, has recently received a dispatch from the Right Honourable Her Majesty's Principal Secretary of State for the Colonial department in England, conveying Her Majesty's most gracious will and pleasure (!) that the said church should be holden *solely for the uses*, and be appropriated to the service, of the members of the United Church of England and Ireland (!) residing within Bothwell aforesaid, and that the members of the Church of Scotland should have, and were entitled to a lien or charge on the said Church, for the said sum of £. , *being the amount of their original contribution towards the erection of the said Church ! !*"

Then followed the two enacting clauses; brief echoes of the recitals. The Presbytery intrusted its cause to a Catholic barrister: the Presbyterian minister and congregation of Bothwell gave him also their brief. At the bar of the council, the solicitor-general and his antagonist, urged the cause of their respective clients in a conflict of more than a week's duration. The greatest interest appeared to be aroused on every side by the question of what was in fact the *nature of the dispatch of the secretary of state ! !* At the close of it, a vote was taken on the first reading of the bill; when, contrary to all hope, the chief justice's constitutional and manly objections to a measure, which went far to turn the council into a Star Chamber, swelled so materially the forces of those members who trembled for their own possessions if such a precedent were adopted, that the lieutenant-governor found himself reduced to the unpleasant alternative of giving his casting-vote for or against the measure. A *tertium quid*, the withdrawal of the Bill, was whispered in his ear by the acting colonial secretary, its main promoter. The happy medium was embraced. It has since been intimated to the moderator, *upon authority*, that the matter has been again referred home to the secretary of state; and that the lieutenant-governor's secretary is prepared to issue a grant-deed of the church in question, to the party or parties so happy as to enjoy the approbation of his lordship.

When we hear and read of such doings as these, and turn

* Draft, 4. Vol. No. 1, p. 2: "An act declaratory of the rights of the members of the United Church of England and Ireland to the exclusive use of the church at Bothwell."

our eyes to the 29th chapter of *Magna Charta*, or to the Star Chamber Abolition Act (14 Car. I, chap. 20,) we more than ever bless the memory of ancestors, who left us an England to inhabit, and not a gaol-yard! We were informed the other day, by a barrister who had visited Van Diemen's Land, that in his whole library there were no books so useful to him there, professionally, as the black-letter reports and text writers of the Stuart and early Hanoverian times, when prerogative on one side, and its victims on the other, daily suggested new matter for forensic argument and judicial determination. If so, then, besides its other evils, Van Diemen's Land must be as little suited to the lover of rational and personal freedom, as England was in the days of pursuivants and high commission; and two centuries behind the mother-country in these important respects, as she undoubtedly is in others already glanced at by us.

When to the means and appliances of the vulgar tyranny we have attempted to describe, our reader has added, within his own mind, their inevitable consequences,—the universal distrust, the shunned confidence of men, the lesson of duplicity imbibed alike and practised in all the details of intercourse and communion, he need not wonder when he hears that some have dared to render themselves obnoxious to the emancipist organs of the government, by the public declaration that “Van Diemen's Land is no place for a gentleman to live in!”* We are well prepared to believe, at least, thus much. We have heard it said, that “private and confidential,” are words there which have not simply lost their European significance, but being understood to denote the value and importance which the person communicating the secret, attached to it himself,—and so to signify “authentic and accredited,”—are, in that regard, far more calculated to promote than to prevent the ready circulation of the delicious scandal!

Of all presumptive evidence of the moral debasement engendered by the delations of the colonial administrators, that which perhaps is not the weakest, is that there is no reproach more commonly resorted to in that colony against an adversary upon either side of every question, than that same reproach of mendacity. “Out of the abundance of the heart the mouth speaketh.” The hearts of many there have been crushed by tyranny, and they fester on in corruption and deceit. Let them be asked privily, touching their tyrants, and you will hear

* Hobartian Advertiser, 14th January, 1841.

them execrated; but change the sphere to the public assembly or the printing-room, and you will be amazed to find the curses changing to blessings, or descending upon the head of the plain speaker and the free; amazed, we say,—until you are made aware that you behold before you men endeavouring to escape the mark and ban of an all-powerful police, by the loudness of their acclamations, at the sacrifice of another victim.*

These are thy fruits, transportation! How long shall they endure? Till transportation endures no longer! If there be a member in either house who values his parliamentary privileges as means, not as the end,—we demand his attention to these statements. The documents which are to be found at the head of this article, disclose an iniquity too gross to last much longer. It is for parliamentary men and statesmen to determine the manner of the end. For, whether they interfere or not, the end cometh. And the first and foremost step to be taken, if enquiry and not rather instant action, be thought advisable, is the appointment of a parliamentary committee at home, and a commission in Van Diemen's Land, each armed with the fullest powers of investigation into the abuses and defects of our administration of the free and bond inhabitancies of Van Diemen's Land.

But enquiry, if enquiry there must be, should propose to itself no other end than the punishment of the guilty satraps, and the accumulation of such an amount of experiences of provincial administration in Van Diemen's Land, as will put us in possession of the means of guarding against the like tutelage of another infant colony so long as time shall last. Transportation must not wait for its abolition. It has already abided two prolix and systematic examinations, besides several desultory incursions of the curious. Let it not be thought that any further good can come of such another. And that we may not content ourselves with simply laying this em-

* When Colonel Arthur was about to quit the island, he received a present of plate from the inhabitants. Never was antipodean governor more unpopular than he was at that time! The plate was required for service at Downing Street! All the government officers, of course, concurred in the subscription. All who had claims for land before the caveat board, or who had lodged caveats against such claims, were only too happy to do the same! Several bitter enemies of Colonel Arthur were among them! And that the sum raised might be as large as possible,—his nephew, who managed the thing, sent circulars to the police magistrates, recommending them to apply to convicts holding tickets of leave, and other indulgences, by Colonel Arthur's gift! But it was added; "no one convict is to be allowed to give more than five pounds!!!" Was it to that good service of plate that Colonel Arthur owed his Canadian appointment?

bargo upon the supply of convicts—whether as bond-assignees, probationers, ticket-of-leave men, emancipists, or by whatever name we may elect to call them—but that we may make amends also to the colonists, even at this late hour, for the corruption and demoralisation which, ever since the first free emigrants touched their shores, we have never ceased to bring upon them,—let us infuse the healthy blood of our own free, bold peasantry into the sickly blood of Tasmania. Let our right hand tear away the felon bondsman, while our left hand plants the free cottager in his stead. Thus shall we obtain from the grateful island, in after years, not only its forgiveness for ancient tardiness, but, much more, blessings for the still timely succour. While we write, more than a thousand applications for free passage to Van Diemen's Land, for emigrant labourers, have been dispatched to Downing Street, through the colonial secretary's office: many more such applications would follow, doubtless, but for the exhaustion of their land fund, through our own criminal neglect. If it be so, let that parliament which freely gave 20,000,000*l.* to redeem the negro, remember that our country owes a debt to its southernmost child, the discharge whereof will be more than generosity,—it will be justice. In one word, whether out of colonial funds alone, or British funds also, the money be provided, let it be provided; so amply, too, that the humiliating prayer for bondsmen may be no longer heard; and that those who have raised it may be put to silence, at least, if not to shame, when, by our exertions, they see their labour-market stocked with *free men*, wages lowered, and the demand for labourers no longer greater than the supply. And on their side, too, our lowly, honest countrymen may assure themselves that, when transportation is ended, there is no place in any quarter of the globe where the industrious and sober labourer, or artisan, will find a more cheering welcome, and a more ready appreciation of his worthiness of his hire, than in Van Diemen's Land.*

* In 1838, owing to a temporary depression, the wages of mechanics had fallen to a rate lower than they have ever since been known: yet the following are some of these *low* rates: bricklayers, 6*s.* and 6*s.* 6*d.* a day; masons, ditto; carpenters, ditto; plumbers, 5*s.* 6*d.* and 6*s.* a day; &c. &c. (Statistical Returns, &c., Table 19.) In the year 1840, we observed an advertisement offering 10*s.* per day to a good blacksmith. Agricultural labourers also realise very high wages. A gentleman of large property, near Outlands, told us, that of his farming men none received lower wages than 20*l.* a year, and one man as much as 30*l.* a year. This was over and above their rations and house-room. As to domestic servants, their wages are far higher still, and indeed quite extravagant.

The time has long since come, and, happily, has not gone by as yet, when free institutions should have been granted to the colonists. Let them be granted now. And let us be mindful, that as one free institution supports another, so the denial of every necessary one impairs the rest, and may even, in some cases, as already noticed of trials by jury, rather dispose those which remain to become the tools of corrupt tyranny. Let us, then, not be niggardly in well doing, but rather let us esteem it our pride to elevate Van Diemen's Land, at this crisis of her destiny, for good or ill, to a level with all our other colonial possessions of the same magnitude with herself. Where we have deemed it wise to limit and confine their local franchises, let us, if necessary, curb and restrain her's also. Where we have agreed that these may, without challenge or jealousy on our part, enjoy the full measure of their birthright, let us impart to her also the rich inheritance without stint. And when to all these wholly temporal and secondary implements of greatness, we super-add the endeavour to instil into her children, and foster and keep alive the blessed light wherein their and our common forefathers first fashioned forth, and secured unto their country, not only these good things, but all other earthly adjuncts and appendages vouchsafed to those who "seek first the kingdom of heaven and its justice," we shall not doubt of a speedy and a brilliant triumph for Tasmania. Her vices and weaknesses are of forty years; but what are forty years to all the course of time? what to eternity?

ART. VII.—1. *Schiller's Leben Geistesentwicklung und Werke in Zusammenhang.* Von Dr. Karl Hoffmeister (*The Life and Works of Schiller in connexion with his Spiritual Development*). Stuttgart: 1839.

2. *Schiller's Leben, von Gustav Schwab.* Stuttgart: 1840.

3. *Schiller's Bride of Messina.* Translated by A. Lodge, Esq. London: 1841.

THE principal literary names of Germany have, for some years past, been nearly as familiar to the educated classes in England, as those of native writers, and her language and literature have been made the objects, if not always of very assiduous study, at all events of zealous eulogy. If this zeal has not been in all instances "according to knowledge," nearer approaches have certainly been made to it than in those disparaging estimates, proving nothing but the ignorance and narrow-mindedness of the writers, which could formerly find

their way into many of our leading periodicals. Great progress has been made since the days when Schiller and Goethe were no further known, to the generality of English readers, than as the authors of *The Robbers* and the *Sorrows of Werther*. Translations of most of the principal productions of these, and other distinguished writers, have been current among us, and some of them indeed,—of *Faust* for instance,—have been “as plenty as blackberries,”—the regular *pièces de résistance* for every tyro to try his “prentice hand” upon.*

Generally speaking, however, translations afford but imperfect means of acquaintance with writers of much depth and originality. Mere matter-of-fact books lose, perhaps, little or nothing by translation. But the more original a book is, the more it differs from the mere mercantile article that sometimes passes by that name, the more does it usually reflect the age, the country, the social circumstances of the writer. Some few books indeed may be said to bring with them their own atmosphere of light; but these are most rare exceptions, and prove nothing in favour of translations in general, which are not only seldom free from the strangeness and awkwardness belonging to unaccustomed attire, but take the reader by surprise, throwing suddenly before him new and unexpected forms of life, perplexing him with symbols with whose hidden meaning he is unacquainted, and producing as disagreeable a sensation as that of entering a foreign circle whilst ignorant of its language. The time and labour requisite for the acquisition of a foreign language, afford us the opportunity of becoming gradually familiarized with the modes of thought, and the manner of life of those who speak it, as in the gradual approach to a distant country, almost every object we meet with on the road informs us of some new particular concerning it, and serves to explain something which is to follow. But in forming an acquaintance with a foreign author by means of a translation, we are, as it were, dropped by a balloon into the strange city, and walk about puzzled and bewildered as in a dream.

These remarks appear to apply particularly to writers of the *subjective* class to which Schiller unquestionably belongs. His works can only be judged accurately when taken in connexion with his life, of which indeed they may be considered

* Mr. Lodge's Translation of the “Bride of Messina,” which is mentioned at the head of this article, is deserving of high commendation for elegance and accuracy. We regret that it has reached us too late for a lengthened notice in this article.

as essential parts. They present in a regular series, expositions of successive stages of mental development, and can scarcely be judged of at all in a fragmentary manner. Many obscure passages of his philosophical writings may be suddenly illuminated by reference to poems, in which the most abstract ideas are clothed with living imagery that renders them "palpable to vision," whilst on the other hand, his lyrical productions contain in microcosmic diminution his whole system of philosophy.

He could not, like his great friend and countryman, Goethe, take up a subject and toy with it, dilettante fashion, and try what could be made out of the mere representation of it, without caring more about it. To Goethe, as lord of the world of art, it seems equal whether

"A hero perish, or a sparrow fall."

He can find as much to interest him in the laying out of a garden—in the fitting up of a house—in the most trivial details of domestic economy—as in the most passionate workings of the human soul! But Schiller must put his heart into the business. When burning with youthful indignation against the conventionalism and tyranny of the narrow sphere that was then representative of the world to him, when pouring into fervent poetry the torrent of impetuous passion, when struggling in the cold grasp of doubt and despair, revelling in the pleasures of social life, or tasting the higher, purer joys of divine philosophy—he is equally in earnest—equally writing from the bottom of his heart. The progress of the author is inseparably connected with the life of the man.

In choosing so often to clothe his conceptions in a dramatic form,—certainly one ill-adapted to the character of his genius,—we cannot help thinking that Schiller yielded to the influence of circumstances, rather than followed his own unbiassed tendencies. Indeed, some misgivings of this kind seem to have haunted his own mind to the last. But in the hard, dry routine of the military school, where his early life was spent, the occasional performance of plays afforded the only glimpses into that ideal world of splendour and beauty, that lay afar off and dimly visible to his young imagination. He had been early familiarized by his mother with the writings of Uz and Gellert, and such poetry as came within her reach: the study of these writers and of the Bible gave a devotional turn to his earliest aspirations, and he was destined to have entered one of the conventual schools of Wurtemberg, with

a view to theology as his future vocation, when an offer was made to his parents to receive him into the Karl's Academy, recently established by Duke Charles.

The proposal does not appear to have been particularly relished by his parents; but his father being an officer in the duke's service, could not well decline the honour. The seminary was a kind of hobby of the duke, who amused himself with it by way of variety, after a life spent in ostentation and sensual excess. Military subordination was the leading principle of the institution. The pupils marched to their lessons, marched to dinner, marched to bed, and held up their hands to pray at the roll of the drum. All tendency to originality of character was to be severely checked, and every talent repressed that did not shoot forth in the prescribed direction. Even letter-writing was prohibited, and the utmost vigilance was employed by the authorities to prevent excursions on the forbidden ground of Parnassus. So closely were the pupils watched, that they were never allowed to assemble in groups, and Schiller could only "snatch a fearful joy" in communicating his poems to his friends in a lonely passage, a retired walk in the garden, or even a corner in the washing-room, whilst a friendly sentinel kept watch without. In strange contrast with all this rigid discipline, however, the pupils were permitted, not only to perform plays, but to mingle in the masquerades, and other not very decorous festivities of the ducal palace.

In order to obtain leisure for composition, Schiller was sometimes tempted to feign illness, that he might be allowed to pass the night in the apartment of the sick, where a light was burned; and these stolen intervals produced *The Robbers*. On one occasion the nature of his indisposition being discovered, a powerful dose of study, in the line of his then appointed profession of medicine, was prescribed as a cure. Though usually modest and submissive in his demeanour, the hidden volcanic fire of his temperament broke forth; he tore the paper presented to him, and throwing it on the ground, declared he would choose his own tasks. This outbreak was punished by degradation; and Schiller formed a project, with some companions, to escape from so galling a yoke by flight. The project, however, was not put into execution, and the young poet was driven back into that ideal world, whose boundless freedom made amends for the irksome restraints of the institution. It would be curious to contrast these early years of Schiller, in the barrack-like formality and monotonous seclusion of the Karl's Academy, with the liberty, the variety,

the "lettered leisure," of Goethe's home at the same period of life, and to trace the effects of this morning sunshine of a happy youth; but it would lead us too far from our present purpose. Our allusion was intended merely as explanatory of the character of Schiller's first dramatic production, *The Robbers*, which saw the light under circumstances that would at all events render it a literary curiosity.

"It was a strange blunder of nature," says Schiller, some years after, reviewing his own productions in the *Rheinische Thalia*, that in my birth-place condemned me to be a poet. An inclination to poetry was an offence against the laws of the institution where I was brought up, and opposed to the plans of its founder. For eight years did my enthusiasm struggle with military discipline. But a passion for poetry is strong and ardent as first love, and the opposition intended to stifle does but make it burn the stronger. Unacquainted with the world, from which iron bars shut me out; unacquainted with man—for the four hundred who surrounded me were but as one, faithful copies of one and the same model, and that model one utterly rejected by plastic nature, for every individual characteristic was lost in the unvarying routine—unacquainted with the fair sex, for the gates of the institution were open to them only before they became interesting, or after they had ceased to be so. Thus, ignorant of human character or destiny, my pencil must necessarily miss the middle line between angel and devil, and delineate nothing but a monster. The only apology for *The Robbers* must be the climate under which it was produced. Of all the innumerable accusations against its author, the only just one was that of my having presumed to paint men, two years before I had ever known one."

They would, indeed, be grievously disappointed who should seek in the literary merits of this strange piece for the cause of the wonderful sensation produced by its first appearance; but this affords sufficient proof, that in spite of its most salient faults, some tones of truth must have been elicited from the chord, that awakened so startling an echo. There was, indeed, much in the social condition of the period to warrant the distorted and monstrous features of the picture it presented. "Not Charles Moor," says one of Schiller's biographers,* "but society itself was the prodigal son of this dramatic parable. All the evident defects of this melodrama, all the incongruities of its plan—its exaggerations of character—its wild and presumptuous language, were not only pardoned, as the errors of genius manifesting itself even in

* Schiller's Leben, von Gustav Schwab, Stuttgart: 1840.

this monstrous birth, but forgotten in the solemn tone, like the dread trumpet of the day of judgment, which sounded from it over the existing generation. It did not pass away till all was fulfilled—till the world was swarming with those bands of robbers from a neighbouring state, whose trade was retribution, and whose occupation, revenge. The deputy, who swore that the people ought to be brought low enough to eat hay, and his murderers, who drove him to slaughter at Paris with a bundle of hay on his back, were they not monsters borrowed by reality from Schiller's *Robbers*?"

In 1780—in the twenty-second year of his age, Schiller was appointed surgeon to a regiment, with the monthly pay of *eighteen florins* (about nine shillings a week), and as yet the combustible tragedy slumbered in manuscript upon the author's shelf. As however, the first period of Schiller's emancipation from the thralldom of the Karl's Academy, was not marked by more prudence and moderation than might have been expected under the circumstances,—the state of his finances soon became embarrassing. Perhaps it was well for him that he so soon experienced a check in the dangerous career into which the example of his princely patron had contributed to draw him.

In his pecuniary distress he first began to think of negotiating with the booksellers for the publication of the *Robbers*; but though he entertained hopes of gaining, by favour of the muses, some advancement at the court of the omnipotent Mammon, his expectations were sufficiently moderate. "If the poet Staudling," he says in a letter to a friend, "received a *ducat a sheet* for his verses, why may not I expect as much?" The booksellers, however, not knowing well what to think of the strange production submitted to them, declined publishing it except at the cost of the author. Nothing daunted, Schiller borrowed the necessary sum; and the first edition, printed in the most slovenly manner, on a sort of coarse blotting paper, full of typographical errors, and looking like a collection of murder stories and halfpenny ballads, soon gladdened the eyes of the author. It was decorated with a vignette, the work of a comrade from the Karlschule, representing an angry lion rampant, with the significant motto—"In Tyrannos."

The few first finished copies were received with rapture, but as the heap gradually increased, Schiller began to experience, like other parents, some anxiety as to the disposal of the offspring, whose entrance into the world he had so fondly hailed; and to consider, whether undertaking to print at his

own cost, with an income of nine shillings a week, had been altogether prudent. Now that it lay fairly printed before him, he also became more acutely sensible, not only of its æsthetic deformities, but also of its dangerous social character. This period of anxious suspense lasted a considerable time; but at length "the meteor began to kindle on the literary horizon. Travelling *belles esprits* sometimes stopped their equipages before the poet's little lodging; and however flattering such an incident was felt to be, some little embarrassment was sometimes occasioned to him and his friends at the condition of the '*salon de reception*.' Its only furniture consisted of a large table and two benches—the walls were decorated with articles of Schiller's wardrobe—trowsers, &c. In one corner might be seen a pile of the *Robbers*, and in the other a heap of potatoes, mingled with empty plates, bottles, and other things, which generally passed under a silent review before the object of visit was broached."

In the meantime the bookseller Schwan, at Mannheim, a man to whom the literature of his country is said to have been much indebted, had been delighted with the bold and spirited character of this singular production, and had brought it under the notice of Baron Von Dalberg, then superintendent of the Mannheim Theatre, and president of the German Society: a man of great reputation for his services to literature and art,—who was considered to have placed the theatre under his direction at the head of the dramatic school of Germany. At his suggestion, Schiller joyfully undertook to adapt his piece to the stage, for which it was not originally written, and even to effect many alterations, in opposition to his own judgment; such as its transposition into a different period from that in which it was at first placed. An abundance of most flattering encomiums rewarded his compliance, and Schiller congratulated himself on having acquired the favour of so distinguished a Mæcenas as the Baron Von Dalberg. On the 13th of January 1782, the eventful day which may be regarded as the commencement of Schiller's career as a dramatic author, the corners of the streets at Mannheim appeared decorated with large playbills, setting forth the intended representation of "the *Robbers*, a tragedy in seven acts, to commence at five precisely." To these, as it was thought necessary to "insinuate the plan to the boxes," a long explanation was appended, containing full particulars of the characters of Karl and Franz Moor, and instructions how to distil the moral; and concluding

with an exhortation to the young, to beware of the consequence of unbridled excesses; and to remember that the invisible hand of Providence can make use of the greatest villains as instruments of its judgments.

As the piece had been much talked of during its preparation, and its principal characters were to be supported by the first actors in Germany, the audience streamed in, not only from the town itself, but from Frankfort, Mainz, Worms, Heidelberg, and all the neighbouring country, and the sensation produced corresponded with the expectations excited.

The universities of Germany soon resounded with *Robber* songs, and the booksellers were overwhelmed with *Robber* romances. A bandit society was formed in Leipsic, by a troop of lads, who proposed to make a neighbouring forest the scene of their exploits; till at length a police regulation forbid the representation of a piece, which was regarded by the authorities as a declaration of war against social order.

In the mean time, Duke Charles of Wurtemberg, who approved of freedom and enlightenment indeed, but only in moderate and appointed proportions, became alarmed at this comet-like course of his young protégé; and indignant at certain allusions to his own proceedings, which had been discovered and pointed out in the offending tragedy, he summoned the daring pupil of his academy before him—warned him of the various and sundry transgressions against good taste, to be found in his play, and commanded him in future to submit his poetical productions to his princely judgment.

A stolen visit paid by Schiller to Mannheim, to witness the first performance of the *Robbers*, had remained undiscovered; but a further cause of offence soon appeared in the complaints made by the neighbouring canton of the Grisons, of certain libellous expressions put into the mouth of one of the associates of Charles Moor, who declares that part of Switzerland to be the “true rascal climate, where villains come to the highest state of perfection.” In vain Schiller pleaded that the opinion was expressed by the worst of the whole band of robbers, and even that there existed in Swabia a popular saying to that effect;—a peremptory order was issued that he should, once for all, give up poetry and stick to physic. This terrible injunction found him in the midst of historical studies, plans, and projects for future literary undertakings, to which he had naturally been excited by his first grand success;—although, to the credit of his self-command, it must be remembered, that he had still retained

sufficient sobriety of mind to devote a great part of his time to the composition of some medical treatises of high promise.

His attention was also less agreeably occupied by the debts contracted for the publication of the *Robbers*, as well as of a volume of poems, in which he had been associated with some young friends. The performance of the *Robbers* does not appear to have produced anything more substantial than that "empty praise," that was more likely to satisfy the poet than the printer. His miserable pay as a surgeon, scarcely sufficed to cover his most necessary expenses. In this extremity he wrote to Von Dalberg, earnestly entreating him to endeavour to obtain permission to leave Stuttgart, as if for a temporary residence at Mannheim. The letter produced only a cold and evasive answer; and the situation of the young poet became daily more painful. Exposed thus to the harassing effects of pecuniary cares, and the vexations of petty tyranny,—almost worshipped by a little circle of admirers, intoxicated by the incense of flattery breathing towards him from the most distant corners of Germany, whilst subjected every moment to be reprimanded like a schoolboy, his anomalous position began visibly to affect his temper and character.

He determined at all hazards to escape from this thralldom; and, his resolution once taken, a favourable opportunity soon presented itself. There were to be grand doings in Stuttgart, on the occasion of a visit from a Russian prince (afterwards the Emperor Paul), and his consort, the niece of Duke Charles, besides a crowd of illustrious personages who accompanied them. The whole of the court equipages, and a magnificent stud of horses, in which the Duke especially delighted, were to be exhibited to the utmost advantage. Six thousand stags were to be driven into the forest surrounding the castle of "Solitude," and watch-fires kindled all round, to prevent their escape. They were to be urged down a precipice into a lake, where from the windows of a summer-house they could be pleasantly and easily shot by the exalted guests.

In the midst of these important cares, things so trivial as Schiller and his writings were of course forgotten. Such an opportunity was not to be lost. A hurried visit to his mother informed her of his intention:—his father was to be kept in ignorance of it, that his honour, as an officer in the Duke's service, might not be compromised. A faithful friend, the excellent and kind-hearted musician Streicher,

agreed to accompany him, and his preparations were soon made: a little trunk, a few books, a pair of pistols, and five-and-twenty florins, comprised all his worldly store.

"At ten o'clock at night, a chaise drove up to the darkest gate of the city, where an approved friend of Schiller's had the watch for the night." "Halt! Who goes there?" "Dr. Wolf and Dr. Ritter, travelling to Esslingen." The chaise drove unimpeded past the open windows of the guard-room, out of the gate, and the heart of the young fugitive beat high with the joy of freedom. At midnight, the friends reached a height, whence they looked back on the city, and at the end of a long avenue distinguished the castle of Solitude magnificently illuminated, and glittering like a fairy palace.

In the brilliant light, Schiller perceived and pointed out the abode of his parents; and a sigh for the mother he had left, checked the exulting sense of his deliverance. But this, and all other sorrows were now forgotten in the bright prospects which in his mind's eye he had seen opening before him. The theatre at Mannheim, which had profited so largely by the representation of the *Robbers*, would joyfully receive its author. Another play "*Fiesko*," was nearly ready, and would be brought out within the year; a free benefit, or a considerable salary, would soon banish all anxieties of a pecuniary nature.

In Mannheim, however, the cold touch of reality suddenly awakened him from these pleasant dreams. The director received the fugitive with polite astonishment, and recommended an immediate application to Duke Charles for pardon, ere the gracious humour belonging to a season of festivity should have passed away. Schiller obeyed, and indited an epistle, which, though humbly worded, implied a sufficient consciousness of his own value. He represented, that he had been driven to despair by the injunction to refrain from poetry; that he owed it to his own talents, and to the world, which had set some value on them, to continue a career which would lead to his own fortune, and reflect credit on his illustrious patron. That, since he was the first pupil of the ducal school who had ever drawn on himself the eyes of the world, he thought himself the more bound to cultivate such gifts as might confer distinction on it. That the command to abandon an occupation which, while it opened the way to fame and honour, promised to *add so considerably to his income*, had been severe enough to induce him to hazard this terrible step, in the hope of touching the heart of his "sovereign and

father." After two days of anxious expectation, an answer was received from the "sovereign and father," in the shape of a message, conveyed in a letter from General Augé, that his Highness being now, during the visit of his illustrious relatives, in a gracious humour, Schiller had better come back directly.

The fate however of Schubart* was full in his remembrance; so this invitation to return into the cage was not likely to be accepted; and notwithstanding the gracious humour of his sovereign, he did not deem it advisable to venture from his concealment.

He employed the period of his seclusion in the completion of *Fiesco*, to the appearance of which he looked forward as to a second triumph. The day was appointed for the reading. Iffland and other celebrated actors were assembled round a large table, and after a short historical explanation, the young author began to read. His faithful friend Streicher, the companion of his flight from Stuttgart, listened, and eagerly awaited the applause that was to follow. The very first scene would be sure to be interrupted by bursts of admiration. But the first scene was read, and no symptom of approbation followed. The first act,—and still a solemn silence. The second act was read; and then the company rose, and without saying a word about it, began to gossip of the news of the day. One of the players proposed to amuse themselves by shooting at a mark; but before they broke up, the manager drew aside the friend of the poet, and inquired if he could be certain that Schiller was indeed the author of the *Robbers*, as he could not believe it possible, that such miserable nonsense as he had just heard, could be the production of the same pen.

Cruelly disappointed and mortified, the friends returned home; and the vexation of the author naturally burst forth in invectives against the envy and stupidity of the players. He ended by declaring, that if his play were not accepted, he would turn actor himself, as, in fact, "nobody could equal him in declamation."

On the following morning, the friendly Streicher waited on the manager, with whom the unlucky play had been left for his decision, and was agreeably surprised to hear, that on a

* Schubart, the German poet, then imprisoned in the fortress of Hohenasperg, where he was confined for ten years by the Duke of Wurtemberg, on account of some writings which had given offence. He was not released till 1787.

second reading, "*Fiesko*" had pleased much better; that many passages were decidedly superior to any in the *Robbers*, and that the bad impression made at first, was mainly attributable to Schiller's provincial accent, and detestable manner of reading. With the joyful message that the tragedy was accepted, the friend hastened back, and kindly refrained from disturbing Schiller's delusion concerning the excellence of his declamation.

It was not, however, deemed advisable to await the "happy event" of a second dramatic birth in Mannheim, as some fears were entertained, that since Schiller had not returned to Stuttgart on invitation, measures would be adopted to enforce compliance. The friends resolved, therefore, on proceeding as far as Frankfort, although the state of their finances admitted only of a pedestrian journey.

With scarcely as much as would suffice for their bare existence for a fortnight, they left Mannheim, probably sadder and wiser men than they entered it. They wandered on, through Darmstadt, to the neighbourhood of Frankfort, and there the strength of Schiller gave way; probably more from the effects of the agitation he had of late undergone, than from bodily fatigue. Ill and exhausted, he sank on the ground, in a forest through which they were journeying, and fell asleep, while his true-hearted comrade kept watch over him. It is impossible to help contrasting the situation of these forlorn wanderers, with the reception which in London would have awaited a young "lion," who, at twenty years of age, had filled his country with his name. It was but a few years after, that Burns paid his triumphant visit to Edinburgh, and found himself the honoured guest of countesses and duchesses,—the "observed of all observers." Whether the ultimate result be in favour of the position of genius in our own country, does not appear quite so clear, if we compare the sad end of Burns with the close of Schiller's life; who, though to the last poor enough in this world's wealth, was rich in "honour, love, obedience, troops of friends," even before the period the poet has assigned to them, and which indeed, Schiller never reached.

A rest of some hours restored to Schiller strength to enable him to reach Sachsenhausen, where the two wayfarers took up their abode in a little public house. Here the young poet overcame his proud independence of spirit so far as to write to Von Dalberg and solicit the loan of a small sum till *Fiesko* should be produced; alleging, in addition to his present

necessity, the harassing recollection of a debt left behind him in Stuttgart, which he feared might involve some friends there in embarrassment.

After anxious watching of the post for some days, an answer was received from the wealthy baron, declining to afford any assistance, on the ground that as the tragedy of *Fiesko* was, in its present state, unfit for the stage, the security was insufficient, and he must see it rewritten before he could say anything further.

This was the second lesson in the world's severe school which the youthful poet had received, and he appears to have made some progress. There were no angry invectives this time. He continued for a few moments standing with the letter in his hand, and then, without one passionate word, informed his friend of their disappointment, and began the consultation as to what step was most advisable in their present embarrassment.

It was determined to return to Mannheim, where they could live cheaper than at Frankfort, and where, in case of the direst necessity, the tragedy might possibly bring something from the bookseller Schwan. The disinterested Streicher gave up his own plan of a professional journey to Hamburg, and applied a second time to his friends for as much as would enable them to leave the place where they were. A little incident had occurred also which led Schiller to hope for another momentary resource. Under his assumed name of Dr. Ritter he had entered a bookseller's shop in Frankfort, and carelessly enquired if the "*notorious*" piece of the *Robbers* sold well, and what people said of it. The answers to both questions were so flattering, that, in the exultation of his youthful vanity, he forgot the hazard thereby incurred, and made himself known. In his distress he now resolved to try what might be, in hard cash, the value of the compliments he had received, and returned to his admirer with a poem, *Teufel Amor*, in his hand, which he offered for five-and-twenty florins. The thrifty bookseller, however, not thinking it so decided a bargain as the poet imagined, would give no more than eighteen, and Schiller, indignant at this marketing, pocketed his poem, and returned empty-handed to his patient and sympathising companion.

Help soon after arrived, in the shape of thirty florins from Streicher's mother; and the two friends left Frankfort in the market-boat, and took up their abode in the village of Oggersheim, where Schiller set to work vigorously to remodel his

tragedy, in the hope of being soon able to satisfy the claims accumulating upon him. Letters from Stuttgart, however, still urged the expediency of concealment, and not knowing where to lay his head, he bethought himself of a kind offer of a place of refuge, made to him by the Frau von Wolzogen, the mother of some schoolfellows, to whom he had formerly confided his intention of escaping from Wurtemberg. This lady possessed a small estate in a lonely forest at Bauerbach, near Meiningen; and though, as her four sons were still at the Karl's academy, she incurred considerable risk from the duke's displeasure, should it be discovered that she had harboured the fugitive, she kindly afforded him an asylum. Before he reached her hospitable roof he was destined to another bitter disappointment. The Baron von Dalberg, though he would willingly have attached the poet to his theatre, feared the consequences of connecting himself with one who had fallen into disgrace at court. The poet was poor and helpless, and had no means of enforcing the agreement that had been made with him; so, after all his hard work, the tragedy was once more sent back, with the message that it was not yet fit for representation, and that, therefore, he, the noble baron, could not consider himself in any way indebted to the author.

A year afterwards Schiller had the satisfaction to find, among the papers of the theatre, a protest made by Iffland, the greatest actor of Germany, in his favour; in which it was suggested, that as, notwithstanding some defects, *Fiesko* possessed beauties of a very high order, some compensation for the trouble that had been given, ought to be afforded to the author. The little consolation which might have been derived from a knowledge of this circumstance, however, was denied to Schiller in his distress, and nothing now remained but to endeavour to dispose of his unfortunate production for whatever it would bring. The bookseller Schwan admired the poetry, but stood too much in fear of pirated editions to be able to venture more than a louis-d'or a sheet; but the poet was in no condition to listen again to the suggestions of his pride. His faithful friend, compelled to earn his bread as he best might by the exercise of his art, had left him; the few remaining articles they possessed had been gradually consumed; Schiller's watch was sold, and he was still in debt for a fortnight's board and lodging. The eleven louis-d'ors produced by the tragedy sufficed to pay his reckoning, and enable him to reach the asylum Providence had opened to

him. Thinly clad and ill provided for his journey, he set off for Frau von Wolzogen's estate at Bauerbach; and on a bitter cold night, in November 1782, reached a solitary valley covered with deep snow, surrounded by dark pine forests, and shut in by distant mountains. The glimmering lights from a few little scattered cottages cheered the weary wanderer with hopes of welcome; and in the house of his kind friend he found everything ready for his reception. His letters to Streicher and Schwan describe, in the liveliest terms, the comforts and advantages of an abode, which to others appeared dreary enough. He describes himself as feeling "like a shipwrecked man, who has just struggled out of the waves to a friendly shore." Suffering and humiliation had rendered this retreat doubly welcome, and the simple rustics were probably associates well suited to the melancholy and misanthropical temper of mind engendered by early disappointment.

In this wild and desolate country,

"The world forgetting, by the world forgot,"

he passed the winter of 1782-3, with no other recreation than an occasional ramble through the forest, or a game at chess with the steward, but, fortunately, pretty well supplied with books by the kindness of a friend in Meiningen, Reinwald, afterwards his brother-in-law.

His mind was to him a kingdom, in which he wholly lived, and nothing remained to connect him with the outward world, but his correspondence with one or two friends, and even this was liable to continual interruption. The state of the roads was such, that messengers sent with letters often returned on account of the impossibility of proceeding.

It is probable that this kind of life had begun to lose its charm, and the want of society to make itself painfully felt, notwithstanding the airy visions that peopled his solitude; when, towards the spring, Frau von Wolzogen, his kind benefactress, and her daughter, arrived to spend a short time in Bauerbach; and "a change came o'er the spirit of his dream." All the misanthropical congelations which had been gathering round the heart of the poet in these wintry wilds, were thawed at once; and his pent-up feelings poured out in an impetuous torrent of enthusiastic gratitude and friendship towards the mother, and of glowing admiration towards the daughter; checked indeed, in some degree, by the cruel consciousness of his destitute and dependent condition, but suf-

ficiently intelligible. All his ambitious dreams of future glory were now forgotten; he desired to live and die, and be buried, in Bauerbach. The highest renown to be hoped for from poetical triumph, he regarded as dust in the balance compared with the happiness that might await him in this blissful seclusion, with "one fair spirit for his minister." The only question for him now, was how to secure the means of realizing this Elysian dream; and, perhaps, to overcome the obstacles that might present themselves in the superior birth and connexions of the lady.

A new turn in Schiller's affairs saved him from the pain of rejection, if such had been intended, and saved his maternal friend from the disagreeable task of inflicting such a mortification on him. The Baron von Dalberg considering that as the Duke Charles had lately made no attempt to discover the poet's retreat, his displeasure had probably abated, concluded that Schiller's political quarantine had probably lasted long enough, to prevent any risk of infection from his disgrace. He, therefore, conveniently forgot the tone of his recent correspondence with the young dramatist, by whose talents he was willing to profit, and wrote in a friendly manner, expressing a wish for assistance in the adaptation of some plays of Shakspeare, and desiring that the recently finished domestic tragedy of *Louise Müllerin* (afterwards produced under the title of *Kabale und Liebe*) should be prepared for the Mannheim theatre. Schiller, though he had never reproached Dalberg for his treacherous conduct, could not be insensible to its meanness; he answered, rather coldly, that he must of course feel flattered by the confidence in his pen implied by the proposal, notwithstanding his recent failure, but as he should be sorry again to disappoint his excellency's expectations, he wished to explain some particulars connected with the piece, which would perhaps be thought to render it unfit for the stage. The number of characters, the entanglement of the plot, the unusual mixture of tragedy and comedy, and other failings, were then carefully enumerated, without a syllable in favour of the production, which might tend to balance the impression thus produced of its unfitness for the stage. The Baron, however, having an end to answer, did not think proper to break off the negotiation; and it ended in Schiller's determination to return to Mannheim, and judge for himself of his prospects of success.

It is probable that the want of the intellectual excitement, afforded by more varied society, had some share in this reso-

lution; for he complained frequently in his letters of the increasing languor and difficulty of his literary efforts. He tore himself, however, from this now enchanted solitude, with many protestations and assurances of his love lasting till death, and, if possible, beyond it. Here ended this pastoral episode in Schiller's life. It is curious to find, that after all this romance, although the correspondence was continued, the mere vague report of the presence of a favoured rival, was sufficient to deter him from returning to Bauerbach; and the only offer he ever made, appeared so much like a jest that it was not thought to require any reply.

Schiller's reception at Mannheim was highly flattering; he had the gratification of witnessing the brilliant success of his two pieces, *Fiesko* and *Kabale und Liebe*, and of making what he thought the first step towards an improved social position, in the engagement to furnish three plays a year to the Mannheim theatre, for the splendid consideration of fifty pounds per annum. Although, in the sequel, this pittance proved insufficient even for his modest wishes, his recent escape from absolute destitution made him regard it with joy and thankfulness. His enthusiastic devotion to poetry, his lofty views of the objects and purposes of the drama, and the happy illusion that wafted him, as in a golden cloud, above all the mean and trivial circumstances inseparable from his new situation, consoled him for the absence of more solid temporal advantages.

It is related of him, that on one occasion, when travelling, he happened to witness the performance of some miserable strollers in a country barn, and occasioned much amusement to his companions by the deep and serious interest he took in an exhibition, which to others furnished only matter for laughter and mockery. "Happy," says Jean Paul, "is the actor in the guilty drama of life, to whom the higher illusion within supplies, or conceals, the external illusion; to whom, in the tumult of his part and its intellectual interest, the bungling landscapes of the stage have the bloom and reality of nature, and whom the loud parting and shocking of the scenes disturb not from his dream."

The high point of view from which Schiller regarded his vocation as a dramatic poet, naturally led to an investigation of the principles on which the art rested which was now to form the occupation of his life, to an attempt to vindicate for the drama a high place among social institutions, and to

rescue it from the contemptuous depreciation, to which its degraded state in these latter days has inevitably led.

"If natural pride, or the due estimation of our own worth, ought never to forsake us in any situation of life, the first question we must answer ourselves is, whether the occupation to which we devote the best part of the powers of our minds, is suitable to their dignity, and to the just claims that society has on us. It is not always the highest exertion of our powers, but their noblest application, on which our greatness depends. The more lofty the object towards which we strive—the wider, the more comprehensive the sphere of our exertion—the higher should rise our courage, the purer become our self-confidence, and the more independent of the opinion of the world."*

After pointing out how frequently the claims of the learned, and of official personages, have increased in proportion as their real influence on society has diminished, he continues:

"The young man who should leave the narrow dungeon of a barren but bread-winning science (*Brodwissenschaft*) to follow the impulse of the Deity within him, would be universally condemned. Is that the revenge of little minds on the genius whose flight they cannot follow, and who rate the value of their work so highly because of the toil it has cost them? Dullness, learned plodding, and ant-like industry, are honoured with the terms solidity, depth, and erudition—paid and wondered at. Nothing is more disgraceful in the eyes of sound reason, than the contempt with which the faculties look down on free arts; and this will continue until learning and taste, truth and beauty, become reconciled, and embrace each other as sisters."

To endeavour to effect this reconciliation was the task of Schiller's life, and accordingly, in the essay entitled "*The Stage considered as a Moral Institution*," he boldly claims for the theatre a place beside the school, and even the church, as an organic agent for the amelioration of the human race. Before we condemn the presumption of this attempt, let us be sure that we have freed our minds from the accidental degrading associations that cling round them in reference to this subject, and remember that the theatre has no natural or necessary connexion with frivolity or licentiousness.

"Whoever first made the observation that religion was one of the strongest pillars of the state, and that without it the laws would lose their power, has, perhaps without knowing it, defended the

* From a suppressed preface of Schiller's.

theatre from the noblest point of view. The uncertainty and insufficiency of political laws, which make religion indispensable to the state, determine also the moral influence of the stage. * * * *

"The jurisdiction of the stage begins where that of human laws ends. The entire realms of history and fiction are open to her authority. Bold criminals, who have long since mouldered in the dust, are called forth by the mighty voice of poetry, and live again for our instruction. Those who were the dread of the age in which they lived, appear before our eyes powerless as the shadows of a magic mirror, and with wholesome terror we curse their memory. Where morals are no longer taught, where religion no longer finds faith, and no law is present, we still can thrill with horror, when Medea totters down the steps of the palace after the murder of her children: we can still feel the value of a pure conscience, when we behold Lady Macbeth, in her terrible nightly wanderings, calling for all the perfumes of Arabia to banish the smell of blood from her hand.

"As certainly as living representation works more powerfully than dead letter, so certainly does the stage produce a deeper and more lasting impression than mere written law. A wider field is open to the stage than to temporal justice;—a thousand vices amenable to no human tribunal find here their punishment;—a thousand virtues of which human justice can take no cognizance are here recommended. From the pure springs of wisdom and of religion the lessons of the stage are drawn, and the severe form of duty clothed with a thousand attractions."

From these passages it will readily appear, that Schiller's views were taken from too high a point to coincide with those of most of the persons with whom he was called on to co-operate; and he found it impossible practically to follow out the principles which had appeared so satisfactory in theory, for the improvement of the stage and the elevation of its professors.

It is beside our present purpose to consider how far such a reform might be practicable, but it may be safely asserted at all events, that the necessary conditions to such a reform have never yet been combined in any one instance. Schiller experienced the two-fold mortification of failing in his endeavours, and of involving himself in perpetual quarrels and misunderstandings with those in whose cause he had ventured to incur so much censure.

He could not, however, breathe in that element of daily strife, in which it appears persons connected with theatres must almost always be condemned to fritter away their existence, and he again resolved to have recourse to some other profession that might better reward his talents and industry. He therefore resigned his appointment at the Mann-

heim theatre, and after much hesitation decided, from some unexplained motive, that the law afforded him the best prospect of temporal advancement. With his habits of application and natural endowments, he could, he thought, attain in a short period, an amount of knowledge which to ordinary capacities would require the labour of years, and an honourable appointment at some German court would in due time leave him at leisure to cultivate poetry merely for the delight it afforded.

Amidst these airy prospects he passed the last night of his stay at Mannheim, in the company of his ever-faithful friend and comrade the musician Streicher; and so firm appeared then the fantastic edifice of his hopes, that when they grasped each other's hands at parting, they agreed not even to write to each other again till Schiller should be a *minister* and Streicher *Kapellmeister*.

The necessity of daily labour for daily bread hindered the execution of this and other projects which Schiller from time to time formed for obtaining a firmer footing in the world than literature generally affords; but it never for a moment tempted him to be unfaithful to his high calling, to look on it merely in the light of a trade, or to prostitute his pen to any mean or trivial purpose.

With the production of *Don Carlos*, first published in the *Thalia*, without any view to the stage, the first period of Schiller's intellectual life may be considered completed.

"As in this cosmopolitical drama his moral convictions had attained their most complete development, his poetical faculty, nourished wholly by his moral and political opinions, became for the time exhausted, and the speculative principle of his mind seized the reins. The second—the historic-philosophical period—commenced; in which he looked round him on the actual world, and sought to obtain scientifically a satisfactory solution of the problems of real life, until at length, in the third period, he could return with clear understanding and matured powers to the cultivation of poetry as the highest art. The *Philosophical Letters*, the *Ghost-Seer*, and some historical sketches, which he undertook immediately after *Don Carlos*, belong, as forerunners and preparatory studies, to his histories and philosophical treatises. We may place in the autumn of 1786, the boundary of the first period in which Schiller moved entirely within the sphere of the poetical moralist. From the appearance of the *Philosophical Letters*, the poetical interest begins to give way to the scientific, and we perceive that we are entering the territories of another lord. One common idea of resistance to the existing order of things may be traced, variously modified, through

the *Robbers*, *Fiesko*, and *Kabale und Liebe*. *Don Carlos* has the same tendency, and can by no means be separated from its predecessors, or placed in another period. In them the old was torn down and cleared away, in this the new edifice of human society was erected. There was a struggle against existing circumstances, here a struggle for certain ideas. The three first have therefore a negative and polemic, the fourth a positive, affirmative, character. Those are revolutionary, these constitutive, but all written equally under ethic prepossession. What he will *not*, the poet has in many ways with a bleeding heart declared, and then thrown together in the great picture with free inspiration all that he *will*. This difference of character of *Don Carlos* from its predecessors, and the different frame of mind in which it was composed, occasion an infinite difference in the impression they produce on the reader. The three first dramas are heartrending, and in spite of their moral effects, leave behind a painful feeling. *Don Carlos*, on the contrary, enchants us into a higher order of things—into an earthly paradise of social freedom and brotherly love, the presentation of which has always an ennobling and beneficent effect, even when to the calculations of the understanding such a happy and rational state of human society should appear only a beautiful dream. * * *

“Schiller had intended, as we have seen, to have written a second part to the *Robbers*, in which the discords of the first should have been harmoniously solved; but according to the idea involved in it, *Don Carlos* is in fact this second part. The world, which in the *Robbers* was scattered into fragments, was in *Don Carlos* again built up on an ideal foundation. Schiller could not have written any other piece of the character of *Don Carlos* without repeating himself, for the circle was closed—the highest object attained. We shall see that he subsequently abandoned this ethic-political point of view, and found a new principle—that of destiny—for the construction of his *Wallenstein*.”—*Hoffmeister*.

In Leipsic and Dresden, where he successively resided after leaving Mannheim, his gradually increasing poetical reputation had gained him some friends, and a wide circle of flatterers. His life flowed gaily along in the pleasurable excitement of perpetually varied intercourse with artists and men of learning, statesmen and women of refinement, and intellectual cultivation; surrounded by the treasures of art and science, and by luxuries and elegancies to which he had hitherto been a stranger.

The circle of seeming happy mortals into which the worn and tempest-beaten man now found himself admitted as a member, might well lull him with a feeling of security, and the delusive hope, that he had already reached the haven of prosperous fortune; an expectation increased to confidence,

by the hopes thoughtlessly raised in his mind by the promises and professions of some of his admirers. The joyous buoyancy of spirits thus created, poured itself as usual into song, and brought forth the *Lied an die Freude*,—"that immortal ode, that seeks to embrace in its giant wings all spirits and all worlds,—was composed for the little circle of friends in which Schiller now found himself so happily placed. It is the exulting salutation of the rosy morning, after a long night."

The rough and toilsome path Schiller had hitherto travelled, had not, however, tended to fit him for this idle dance of life. The natural earnestness of his character, deepened by early struggles and difficulties, could not rest satisfied with the light and thoughtless pleasures of the multitude,—nor the mind that would probe the inmost nature, and explore the highest relations of things, rest in the frivolities of conventional life.

He drank too eagerly the sparkling cup of social pleasure, and paid the price at which it is often purchased, by persons of ardent imagination and profound sensibility; of whom it may be said, that they play the game of the world at a disadvantage, flinging down gold, while their adversaries stake only counters.

Schiller fled from Dresden, to escape from the enthralments of an all-absorbing passion for a worthless object, and plunged again into an element more congenial to his nature, the pure stream of poetry which has been often resorted to, to allay the fever and irritation of the world. Weimar, celebrated under the administration of the Duchess Amelia, as the classic ground of Germany,—the centre and focus of intellectual culture,—and the point of union for the most distinguished literary men of their age and country—Herder, Wieland, and Goethe, whose names had long shone as stars before the eyes of the young poet, offered the greatest possible attractions; while his own reputation was now sufficiently established to insure him a favourable reception.

At the moment of his arrival, however, the brilliant circle was deprived of two of its luminaries. Goethe was absent in Italy, and the Duchess Amelia preparing to go thither. He therefore continued for some time the life of a solitary student, supporting himself with the strictest frugality on his scanty means. Whilst his works were every where sought for with eagerness, and his name uttered with enthusiastic admiration by tens of thousands, he could scarcely

earn a scanty subsistence by his most strenuous exertions, and was frequently on the very brink of destitution. To him, however, the service of literature was a worship, not a trade. He found ample compensation for all external privation, in the new springs of spiritual life that were opened to him at Weimar, in communion with the most gifted spirits of the age, in the new impulse to study it afforded, and in the delight that wisdom never fails to bestow on those who seek her, for her own sake.

The nearest approach Schiller could ever make towards subjecting his Pegasus to the yoke of worldly necessity, was his acceptance of the Professorship of History at the University of Jena; which was obtained for him partly by the influence of Goethe, and some other friends; but, chiefly by the success of several historical productions,—especially of his recently published splendid fragment,—*the History of the Revolt of the Netherlands*.

Notwithstanding his earnest desire to obtain a more permanent social position, he assumed the academical chair with great reluctance, on account of the insufficiency of his historical attainments. The necessity of resigning for a long period, the freedom of mind which he regarded as the highest good, and forcibly directing his attention exclusively to subjects connected with his office, often foreign to the tendencies of his mental growth, was in itself discouraging; and the fear of finding himself incapable of worthily fulfilling the duties he had undertaken, still more so.

"I have, myself, taken no step in this business," he writes, "and now that it is too late, I would fain draw back. The years of happy independence of which I dreamed, are not destined for me it seems. I must renounce all thought of any other study, and be content to toil in the midst of thousands of heartless and soulless old papers. How absurd shall I appear to myself in this new position! Many a student will know more of history than the Professor, but I must console myself like Sancho in his government, 'when God gives a place, He gives understanding to fill it—' and if I but once get the Island, no doubt I shall know how to govern it.'"

He considered that he had only broken ground on the historic field, on his way to what lay beyond, never regarding it as an ultimate object; but only seeking in it for the materials of poetry, or for the solution of such philosophical questions as from time to time occurred. Even this slight and hasty culture, had indeed produced some brilliant blossoms; but

Schiller was conscious that he could never reap the full harvest without a more laborious and patient cultivation. He had too much original activity and ardour of mind, to submit without much difficulty to the long, and often tedious investigation of an infinite number of minute particulars, in which the study of history from original sources essentially consists. Some great event—some heroic character seizes on his imagination, and all that is subordinate groups itself around, as in an epic, or a grand historical picture, in which effect is to be studied, rather than strict and painful accuracy. His descriptions are rhetorical and pathetic more than instructive; the reader rises only half-informed as to the fact, though glowing with the warmest sympathy for all that is noble and beautiful. Things are seen through the gorgeous colouring of poetical oratory, rather than shown by the clear common daylight of simple truth. His high sense of justice, and of the sacred duty of impartiality, preserved him, however, from any danger of misleading his pupils; and we are by no means sure, that where the sources of information lie open to the student, such a teacher may not have rendered far higher service, than the instilment of any amount of positive historical knowledge could have done.

“Schiller was not yet thirty years old when he assumed the professional chair at Jena, in the beginning of May 1789. For centuries Jena had been counted among the celebrated and frequented universities of Germany, and nowhere else could so great a variety of manners and dress, or of scientific and moral culture be met with. The most violent contrasts were continually presenting themselves, and as long as the regulations of society were not wilfully trampled underfoot, it was permitted to every one to do in all respects as it seemed good to him. From the coarsest and rudest manners, to the most fastidious refinements of a great city; from the narrowest limits of the pedant and the schoolman, to the widest, most enlightened, and comprehensive views of the statesman, and man of the world—every form of life found its representative at Jena. From Reinhold, Schüz, Paulus, Griesbach, and other distinguished men, Schiller could count on a friendly reception—and he might expect to find amongst the students as many respectful and devoted admirers, as the university numbered of promising young men. He who is still the favourite of the entire youth of Germany was then their idol.

“He opened his course of lectures, and was received with a more enthusiastic greeting than perhaps any other teacher had ever met with. Nearly four hundred students attended them, and how favourable an influence his character exercised over the development

of the students, appeared in his first reception. It had been the rude custom to salute the professor at the commencement and termination of his lectures by a general stamping of feet, which passed for a signal of approbation—the more violent the uproar the greater the honour. Had anything occurred at which the students chose to take offence, the noise was varied by a universal scraping. The feeling of respect for Schiller was, however, so great, that though the hall was filled to overflowing, this coarse expression of feeling was abandoned, and the most profound and respectful silence prevailed,—a remarkable instance of the power of the good and the beautiful over youthful minds—where the mere appearance of a noble personality could banish the low and vulgar, as well as of the inestimable worth of a teacher, whose bare presence sufficed to recal the students to a sense of the dignity of human nature.”—*Hoffmeister*.

His situation at Jena proved infinitely more agreeable than had been anticipated; indeed, on the whole, happier than it had ever been. The tranquillizing consciousness of having at length found an abiding place in the world, and a sphere of useful activity, afforded a satisfaction hitherto never experienced. “It gives me great pleasure,” he writes, “to feel that I am now more closely connected with the world around me, and that I form a part of a great whole. Every visit from the young people, or from the other professors, renews for me this pleasant thought.”

To the links that thus agreeably connected him with society, were soon added the closer, stronger ties of domestic affection. In February 1790, Schiller was united to Charlotte von Lengefeld, a lady who had the good fortune to receive her early education from an affectionate father, and who was in many respects well qualified to sympathise in his intellectual pursuits. The birth of children opened fresh sources of happiness; and his days flowed on in a clear and smooth current, darkened only by the fears and anxieties inseparable from a feeble and tottering state of health.

Within the first two years succeeding his marriage, he was attacked by so severe an illness, that his life was declared to be endangered by his close application to literary pursuits to which his narrow circumstances compelled him; and it is probable that his family and his country are indebted, for the succeeding eleven years during which he was spared to them, to the generous and considerate kindness of two noble admirers of his genius, the Duke of Holstein Augustenburg and the Count von Schimmelman. A pension for a period of three years, proffered in the most delicate and respectful

manner, and accepted with noble frankness and gratitude, enabled Schiller to enjoy a period of most necessary repose.

From this time the life of Schiller may be sought for almost wholly in his works; for whilst in his youth, external circumstances were powerfully influential in moulding the moral and intellectual character of his mind; in the latter period of his life, his *mind* may be said to have taken the initiative, and outward events to have followed the course of his mental progress. He died at the age of forty-six, a period of life at which many authors have scarcely begun their career.

It would be impossible, within our limits, to follow Dr. Hoffmeister in his critical and elaborate examination of those productions, that reflect so powerfully the course of Schiller's spiritual development; but there is one epoch too remarkable in itself, and too important in its results, to be wholly passed over. We allude to his study of Greek literature, and the effects that it produced on his subsequent writings. It had been, perhaps, his good fortune to have escaped in his school-days, that forced familiarity with the "letter that killeth," to which so many persons owe their ignorance of the life-giving spirit of those wonderful writers. At the period of his arrival at Weimar, he had attained, in the course of his varied mental culture, that point where the study of the ancients became essential to his further progress: and the insight which he obtained into the social life and character of the antique world, and especially of that of Greece, and the wonderful advances made by that people in many departments of intellect, led to the investigation of those complex questions concerning the sense of the beautiful in the human soul, and its high import in the education of the race, to which we owe his profound and philosophical treatises on æsthetic subjects,—of all the riches he has left us, those which we in England, assuredly, could least spare, since in no branch of our literature can we so little bear a comparison with that of Germany. No subject of complaint has been more common among us than that of a deficiency of public taste, yet few attempts have been made to remedy the deficiencies of knowledge in which it originates. Few, we apprehend, will be inclined to dispute that the intellect of our country is equal to the highest demands that can be made on it; and very little observation will convince us that a love of art,—that is a capacity of receiving pleasure from its productions,—is general enough. But this taste is seldom made the object of any attention or culture; and is regarded only as the means of momentary and trivial gratification, instead of

being eagerly seized on, as the clue to high moral and intellectual development. We shall be told, perhaps, that critics do not make poets, or artists, or musicians; that the age of fertile production precedes that of criticism, which does but come lamely limping on, after genius has already won the race: but the source of this common error may perhaps be found in a misapprehension of the nature and office of criticism, which consists, not in laying down rules for the production of works of art, but in discovering, by analysis and observation, in what true excellence consists, and in producing such an enlightened state of public taste as may afford to the genuine artist the only encouragement he ever wants—a general appreciation of his efforts.

To all who are interested in these subjects, and who are aware of their intimate connexion with national and individual welfare, (more especially in a country like our own, where political and commercial interests have a tendency to absorb all mental activity), we earnestly recommend the study of these writings in their original language. They will be found to open a rich mine, where our "Theories of the Sublime and Beautiful," "Essays on Taste," &c., do but scratch the surface of the ground. They are the fruits of the ripest maturity of Schiller's powers, in the department in which, after all, we cannot help thinking his great strength lay, and contain a well arranged and closely connected system of æsthetic philosophy, derived from the inmost nature of man; whilst they present, at the same time, a perfect and most interesting history of the progress of a mind of the highest order, from the period when the awakening tendency to speculation had destroyed the poetry of mere passion and impulse, to that in which, the cycle being completed, the thinker finds himself again on the territories of poetry of an infinitely higher and more perfect order. The same course, perhaps, has been consciously or unconsciously, run by individuals or nations, which have attained a high point of cultivation.

"The manuscript that you have sent me," writes Goethe to the author of the Essays, "I read with the greatest delight. I swallowed it at one draught. As a precious drink congenial to our nature already gives on the tongue indications of its salutary effects on the nervous system, so were these letters (*Briefe über die Aesthetische Erziehung des Menschen*) agreeable and beneficent in their effects. How should it be otherwise, when I found what I had so long recognized as

true—what I had so long praised or wished to praise, presented to me in so connected and noble a manner. I read them the first time as a contemplative man, and found in them much—I may almost say the most entire agreement with my own way of thinking,—and then took them up in a practical sense, to see whether they contained any thing that could lead me from the right path in action. Even here I found myself strengthened and encouraged.” The remarks with which Schiller introduced these letters when they were first published in the *Horen*, may serve equally well to point out their applicability to the wants of our own time.

He considers that the spirit of the age does not appear favourable to investigations relating to the beautiful and to art, in a high sense,—for the world is governed by material utility, and the interest of the great political questions of the day leaves room for no other.

“It may happen, however, that these subjects are less foreign to the necessities than to the taste of the age. A passage is to be sought from the dominion of mere force, to that of the laws of reason, by bringing the impulses—the feelings—the living strength of the character to harmonise with them. Such a harmonious culture was seen among the Greeks; but for us moderns, in place of this totality of genuine humane cultivation, has entered an antagonism of spiritual powers. The peculiar character of modern civilisation, and the artificial splitting up of our faculties into different occupations and professions, has promoted their irregular and inharmonious growth, and even brought them into collision,—a course by which the species has indeed gained; but the individual lost. To reconcile these contradictions—to restore this totality, there is but one way. Our living impulses must be ennobled by beauty—our sensibilities cultivated by art.

“When the mechanist wishes to improve the action of a clock, he allows the wheels to run down,—but the living clock-work of the state must be amended while it strikes, and the rolling wheel changed even during its revolutions. Some support must, therefore, be sought that may ensure the continuance of society when we wish to withdraw that of the natural state.

“This support cannot be found in the merely *natural* character of the human race,—which, violent and selfish, tends rather to the destruction than to the maintenance of society; nor can it be found in the moral character; which, according to the proposition, is still to be formed, and on which precisely, because it is free, the legislator can never reckon.

“In the establishment of the rational state, we must count on the moral law as on working power; and the free will must be taken into the great chain of cause and effect, in which every link depends

by the strictest necessity on the other. If, however, we are to count on the moral sense as on a natural cause, it must have first become nature, and we must be led by impulse into such a line of conduct as can only result in a moral character.

"The will of man, however, stands perfectly free between duty and inclination, and with this prerogative can and ought no physical obligation to interfere. Shall he then retain this free power of choice, and shall we yet be able confidently to reckon on his moral sense as on an efficient cause? This can only be when the operation of both these springs of action shall perfectly coincide."—*Briefe über die ästhetische Erziehung*.

That Schiller has counted too much on art as a means to the high end here proposed, will appear evident to most of our readers; as well as that it would attain this end only by a union with the greater light of faith, so strangely invisible to poor Schiller, lying, as he did, under the shadow of the great moral eclipse that darkened over the past century. That it would have passed away, had his life been extended to any considerable length, is more than probable. As the voice of his earliest youth had prophetically forewarned of the evil time to come—that of his age would have heralded the dawn of a better day. The loftiest summits are the first to be enveloped in clouds and tempests, but they are also the first to reflect the beams of the morning light.

ART. VIII.—*A History of the Italian Republics*. By J. C. L. de Sismondi. London: 1832.

IN the unceasing revolution of time, it is not surprising that persons and events that have been rudely crushed beneath its wheel, should after a while return to light and honour. And it may afford some consolation to observe, that those names which have been subject to this depression and obscurity, when once restored to their proper place, do not incur much danger of losing it again. In no matter or part of history is this more true, than in the history of the Roman Pontiffs. The sense of justice which characterises the present age will be proved to later times by its decisions regarding them, better than by any other historical judgments which it has pronounced and recorded. It is not many years since the condemnation of the entire line of apostolical succession in the Roman See, was a matter of course in every

Protestant work, theological, historical, philosophical, or moral, which directly or indirectly could bring it within its scope. There were no exceptions. The whole series was condensed into a single individuality, which under the name of "the papacy," was stigmatised with everything that was infamous, and anathematised with everything that was execrable. Like to the tyrant's wish, that the Roman people had only one neck, that so he might enjoy the concentrated zest of cruelty in smiting it, was the purpose of Protestant assailants, who truly gave unity to the idea of the headship of the Church, that so they might strike it at a single blow. At length the dark mass of error and calumny, accumulated through ages, broke, and admitted the light. First, partial exceptions began to be made, certain popes were culled out from the number involved in wholesale condemnation: one was praised as an encourager of learning; another as an advocate of ecclesiastical liberty; and so by degrees, till a long succession of pontiffs received the tardy justice of an historical vindication. The progress from *Roscoe's Life of Leo the Tenth*, through Voight, Hurter, and Hock, to Ranke, is a literary fact too recent and too often described in these pages, to need more than a passing allusion.

Were we called on to assign a cause for this change in the feelings and direction of historians, we should be inclined to attribute much to the noble character of several recent pontiffs, whose lives broke down much prejudice against their order; not because they were better or wiser than their predecessors, but because the guidance of divine Providence brought forward their characters more prominently before the face of Europe, than theirs who had preceded them. Benedict XIV was a man of higher attainments, and of no less virtue than the sixth or seventh Pius. There is no doubt that had he, or any other pope of the last century, been placed in *their* trying circumstances, he would have exhibited equal firmness, resignation, and Christian heroism. Opportunity was not allowed to him, as it was to them, and he therefore remains known by his works rather than by his deeds; the delight of the theologian, the oracle of the bishop, the admiration of the learned; but comparatively without a place or name in history. The noble-hearted Braschi, and the meek Chiaramonti were cast into ruder times; the fate of older pontiffs was allotted them. The former had to renew the ancient contest between the supremacy and the empire; not, as formerly, with the open and avowed hostility of feudal rivalry, but in the field, more slippery and less glorious, of

diplomatic contention. That legislative tyrant Joseph II. knew how to injure the Church and its liberties better than Henry II. But it only afforded an opportunity for the display of a new class of virtues, in that see which had ever been fruitful in their production. The same pope found himself involved in a contest with a republic, unlike indeed the republics of ancient Italy, in which a rooted attachment to the Catholic religion was never destroyed by temporary hostility, but with one which assailed him in rampant infidelity; which aimed at the desecration of what was holy, through hatred of holiness. Every new aggression of this destructive power, justly deemed the public enemy, was matter of interest to Europe; and the wanton treatment of a venerable pontiff, whose unsullied life, amiable manners and grey hairs claimed universal esteem and reverence, could not fail to conciliate sympathy towards the sufferer, mingled with execration of his oppressors. Pius VI died, like Gregory VII, in exile. His successor had to continue the struggle, under a more violent but not less crafty form; he was at times almost circumvented by the wiles of his imperial enemy, at times almost beaten down by hardships and insult; but the spirit of his race triumphed equally over both; the meek courage of the pontiff was a full match for the power of the modern Attila; his upright humility baffled the policy of his oppressors. It was the captive dove, keeping at bay, and foiling, at once the falcon and the serpent.

We think that we may truly repeat, that down to this time, a majority of Protestants had never attached any idea of individuality to the name of Pope. Their notion seemed to be that of an entity perpetuated under a variety of indefinite names, through generation after generation, (Clements, Innocents, and Benedicts succeeding each other, no one knew how),* living in almost inaccessible grandeur in a terrible place called the Vatican, round which perpetual thunders growled to keep off all intruders; approached only with genuflexions, prostrations, and almost worship; ever enthroned, and with a triple crown upon its head, occupied all day in mysterious conclave with scarlet wide-hatted cardinals, upon bulls, indulgences and excommunications. We will not add the grosser fictions of popular bigotry,—but we believe, that

* It was a common and often-repeated question of his late majesty William IV, to such Catholics as approached him, "Pray what is the name of the *present* pope?"

many well-informed persons did a few years ago entertain, and that perhaps some very respectable ones do as yet entertain, an idea as definite, as sensible, and as liberal of the Pope, —be he who he may—as we have described. But when Pius VII, stripped of all outward ornaments, torn from his own dominions, an exile and a prisoner, became known to Europe, his personal character, so pure, so holy, yet so noble and magnanimous; so unbending yet so forgiving; so lofty yet so mild,* softened the hearts of many, if it did not turn them, and made them begin to distinguish in their minds, the man from the dignity which he adorned, and to know that popes have characters and virtues, and Christian perfection, even beyond most other men.

We do not think that we are wrong in this speculation, that an interest was excited in the public mind, a power of individualizing generated, regarding the papal authority and its possessors, of a different character from what before was common, by the events to which we have cursorily alluded. We believe that many were led to compare the certain virtues of these later pontiffs with the conduct of their predecessors under similar circumstances, and that the selection made of Gregory VII, Sylvester II, and Innocent III, as subjects of special biography and high commendation by Protestant historians, may be attributed, at least in part, to the renewal in later times of the contest between imperial and papal power, the *regale et pontificale*, and to the attention thus directed towards similar struggles in a former period. Catholics have been grateful, obsequiously grateful, for this slow-footed, lagging justice towards their ancient ecclesiastical heroes. Nay, it has been but a lame justice after all, and yet has it been humbly acknowledged. The loftiest, truest view of the character and conduct of the popes has often been overlooked; the divine instinct which animated them, the immortal destiny allotted to them, the heavenly cause confided to them, the superhuman aid which strengthened them, could not be appreciated but by a Catholic mind, and are too generally excluded from Protestant historians, or are transformed into corresponding human capacities, or policies, or energies, or virtues. Then, there are few of the vindicators of these ancient popes who do not contrive to give a

* When Pius VII was in prison, a nobleman was once sent by the emperor to ask him if there was anything he wanted: "Nothing," replied the pontiff, "except a needle to darn my cassock with."

savour, to their writings, of the olden leaven,—some a sordid or bitter relish, in the form of strong protestations, or harsh declarations against popery, which set one's teeth on edge, when feasting upon the treat afforded us by our new friends. The fault we know is ours; the vindication of our fathers in the spirit, should have come from us; it should not have been left to the condescension of adversaries. As it is, we will accept it, not without humiliation; but we will not bow our back to any blows they may think proper to inflict.

We have already enumerated the ancient pontiffs, who in late years have found vindicators among Protestants. There is one upon whom none has yet taken compassion, whom none has attempted to rescue from the mass of general reprobation. Boniface VIII, to whom we allude, has scarcely ever found a good word, even among modern Catholic writers; he is generally reckoned among the *wicked* popes; he is represented as ambitious, haughty, tyrannical, unforgiving, and unrelenting, and at the same time as cunning, deceitful, treacherous, and base. There is not an action of his pontificate, from his accession to his death, that has not been censured as the result of a crime, or as inspired by some unworthy motive. Now, when we consider how he was one of those pontiffs who particularly stood up for the prerogatives of his see, against the rival power of princes, that almost all the charges against him arise from political contests, and that at his death he left his enemies triumphant, and with all the power to injure his memory in their hands, we may naturally be inclined to believe, that the obloquy which yet remains upon his memory is of the same character as that which has been successfully wiped off from the names of other pontiffs, by the industry of modern writers.

In fact, the injurious attacks upon this pontiff commenced during his life, and have been repeated in every age till the present. We will not speak of the infamous libels drawn up in France by William of Nogaret, his capital enemy, and by others who had felt the weight of his pontifical severity. But unfortunately others, whom political feelings arrayed habitually in hostility to the ecclesiastical power, whenever it came in conflict with the secular, helped to invent or to propagate false or exaggerated views of his proceedings, and of his character. In one respect, Boniface was indeed unfortunate, in having the poets among his enemies. Fra Jacopone da Todi, whose virtues on the other hand gained the veneration of his contemporaries, has poured out all the bitterness of his

nervous satire upon him. But still more, the author of the *Divina Commedia* has contributed to render the memory of this pontiff most unjustly hateful. The Ghibelline poet could not think of sparing so decided a Guelph. Hence he scruples not to call him "the prince of modern pharisees,"* and the "high-priest whom evil take."† St. Peter is made to call him an usurper, and to charge him with bloodshed and crime;‡ and a place is represented as prepared for him among those condemned to hell for simony.§ We need hardly mention Protestant Church historians, such as the Centuriators or Mosheim, or many civil historians, like Gibbon, Hallam, and Sismondi, who vie with each other in repeating the same tales concerning this great pontiff, copying one another, without taking the trouble to verify the statements, or to weigh the judgments of those who have preceded them. Of these neglects we shall see some specimens in the course of our present inquiry.

Accustomed as we had been to read and hear so much to the disadvantage of this pope, we naturally required some cause, however slight, to turn our attention towards a more particular examination of such grievous charges. The pencil of Giotto must claim the merit, such as it is. The portrait of this pope by him, in the Lateran Basilica, so different in character from the representations of modern history, awakened in our minds a peculiar interest regarding him, and led us to the examination of several popular assertions affecting his moral and ecclesiastical conduct. He soon appeared to us in a new light; as a pontiff who began his reign with most glorious promise, and closed it amidst sad calamities; who devoted, through it all, the energies of a great mind, cultivated by profound learning, and matured by long experience in the most delicate ecclesiastical affairs, to the attainment of a truly noble end; and who throughout his career displayed many great virtues, and could plead in extenuation of his faults the convulsed state of public affairs, the rudeness of his times, and the faithless, violent character of many among those with whom he had to deal. These circumstances, working upon a mind naturally upright and inflexible, led to a sternness of manner and a severity of conduct, which, when viewed through the feelings of modern

* "Lo principe dei nuovi furisci."—*Inf.* xxvii. 85.

† "Il gran prete a cui mal prenda."—*Ib.* 68.

‡ "Quagli che usurpa in terra il luogo mio,

Il luogo mio, il luogo mio che vaca."—*Parad.* xxvii. 22.

§ *Inf.* xix. 52.

times, may appear extreme, and almost unjustifiable. But after studying the conduct of this great pope, after searching through the pages of his most hostile historians, we are satisfied that this is the only point on which even a plausible charge can be brought against him ; a charge which has been much exaggerated, and which the considerations just enumerated must sufficiently repel, or in great part extenuate.

To give an idea of the summary manner in which Boniface is dealt with, we will quote the account of him given in the little manual at the head of our article.

“After Nicholas IV, a poor hermit, humble, timid, and ignorant, was raised, in 1294, to the chair of St. Peter, under the name of Celestine V. His election was the effect of a sudden burst of religious enthusiasm, which seized the College of Cardinals ; although this holy senate had never before shown themselves more ready to consult religion than policy. Celestine V maintained himself only a few months on the throne ; all his sanctity could not serve as an excuse for his incapacity ; and the Cardinal Benedict Cajetan, who persuaded him to abdicate, was elected pope in his place, under the name of Boniface VIII. Boniface, able, expert, intriguing, and unscrupulous, would have restored the authority of the holy see, which, during the latter pontificates, had been continually sinking, if the violence of his character, his ungovernable pride, and his transports of passion, had not continually thwarted his policy. He endeavoured at first to augment the power of the Guelphs by the aid of France ; he afterwards engaged in a violent quarrel with the family of Colonna, whom he would willingly have exterminated ; and finally, taking offence against Philip le Bel, he treated him with as much haughtiness, as if he had been the lowest of his vassals. ¶ Insulted, and even arrested, by the French prince, in his palace of Anagni, on the 7th of September, 1303, Boniface died a few weeks afterwards of rage and humiliation.”—p. 106.

This is only an abridgment of what Sismondi has written in his larger *History of the Italian Republics* ; and consequently to this work we will look for the manner in which this character is supposed to be formed. Considering the immense number of authors, contemporary or nearly so, who have related the actions of this pope, considering still more the valuable authentic documents belonging to his reign, which have been published in different works, it cannot be for want of materials that an erroneous estimate is come to. It is undoubtedly true that among the former class of evidence, there is directly conflicting testimony to be found. But then the lowest degree of candour which we have a right to exact from a historian, is information to that effect. We expect to be

told that there is a very different narrative of events from the one selected, and that it comes from authorities whose value has been scrupulously weighed. We desire to be directed to the place where these may be found and examined, that so we may form our own judgment on the matter. The historian who should give us Herodotus's account of Cyrus, and never allude to Xenophon's, would certainly be reproached for want of fairness towards his readers. It is moreover true, that some accounts come from the pen of decided friends and partizans of Boniface: but the others come from as decided enemies and hearty haters: and can it be just to take all that these assert, without once qualifying their narrative by reference to the other side? And is not this still more grievous when the adversaries profess to speak from hearsay or common rumour, and the friends were eye-witnesses and honest men? But what if there be impartial writers, who are as ready to speak against, as for, the conduct of the pope: ought not they at least to have been sometimes referred to?

Then, as to the second class of evidence,—documents of the times, official papers, decrees, or processes,—the omission of their use must surely be unpardonable in a historian, especially when they serve to clear up doubts, as to whether a favourable or an unfavourable view should be preferred, of characters or events. Yet we shall have occasion to see how sadly all these means of ascertaining the truth have been neglected or despised by our modern historians, and a one-sided view taken, upon evidence worse than doubtful, nay, certainly less than true.

I. The attacks upon Boniface's character commence with his very accession to the papacy. In order to understand how this is, it may be useful to premise a brief historical sketch.

Pope Nicholas IV died on Good-Friday, in the year 1292. There was considerable difference among the cardinals in conclave, which led to a vacancy of the apostolic see, of two years and three months. At the end of this period, all singularly agreed in the nomination and election of a saintly hermit living in the wilds of the Abruzzi, of the name of Peter, whose surname is variously given by contemporary writers as *Murro*, *De Murrone*, *De Morone*, or *Morono*. His election took place at Perugia, on the 7th of June, 1294. His reign was of short duration. Instead of at once going to Rome, he wrote to the cardinals that, on account of the summer heat, he was unequal to a long journey, and having made his

solemn entry into Aquila, he proceeded to Naples. There, after a few months, he resigned the papacy, on the feast of St. Lucy, December 13, and was on Christmas eve succeeded by Cardinal Benedict, of the Gaetani or Cajetani family, who took the name of Boniface VIII. This is the subject of our present enquiry.

His enemies do not wait to see him quietly seated in the chair of St. Peter, before they begin their assaults upon his character. The resignation of Celestine is attributed to his arts; and the means supposed to have been taken by him to secure his own elevation, are represented as most base. Mosheim takes the first point quite for granted. "Hence it was," he writes, "that several of the cardinals, and particularly Benedict Cajetan, advised him to abdicate the papacy which he had accepted with such reluctance; and they had the pleasure of seeing their advice followed with the utmost docility."* But Sismondi enters more fully into details, and gives implicit credit to all that Boniface's bitterest enemies ever asserted upon the subject. The following is his account of the conduct of the cardinal during the brief pontificate of Celestine. "Il y en avait un parmi eux" (the Cardinals), "Benoît Caietan d'Anagni, qui avait soin d'exciter leurs murmures, et d'accroître à leurs yeux le danger que courait la Chrétienté. Cet homme n'avait point d'égaux en adresse et en dissimulation: il avait su, en même temps, flatter les cardinaux, qui le regardaient comme le soutien des prérogatives de leur collège, et dominer l'esprit de Célestin, qui n'agissait que d'après ses instructions, et qui peut-être n'avait commis tant de fautes que parceque son perfide directeur voulait le rendre odieux et ridicule." After stating that the cardinal offered his services to Charles II of Naples, if he would procure him the papacy, our author thus continues: "Ensuite il ne s'occupe plus que du soin de persuader à Célestin d'abdiquer une dignité pour laquelle il n'était pas fait. Quelques-uns assurent qu'avec un portevoix, il lui en fit descendre l'ordre comme du ciel. Indépendamment de cette ruse, il avait mille moyens encore de déterminer cet homme simple et timide, dont il alarma la conscience."*

For all this detailed account the historian quotes no authority; but simply refers for the story of the speaking-trumpet

* Ecclésiast. Hist. vol. ii. (1826) p. 367.

† Histoire des Républiques Italiennes du Moyen Age. tom. iv. cap. xxiv. p. 51.

to Ferrettus Vicentinus, the most violent assailer, on every occasion, of the pope's character. The expression, "*some assert*," with which this fable is introduced by Sismondi, and the reference in the note to Ferrettus, would lead one naturally to suppose that he, among other historians, vouches for the fact. The present tense indicates existing historians. Yet it is not so: that writer himself only gives it as a report; "*ferunt etiam*." Any historian ought to have been ashamed to put such a charge, in such a manner, upon such evidence. But this is not the worst. Not only do all the sound evidences of contemporary history contradict this paltry story, but the entire history of Celestine's abdication in Ferretti is so grossly at variance with every other document, and so plainly untenable, that with the exception of it, and the abusive insinuations against Boniface's character, Sismondi has not ventured to follow him here, as elsewhere we shall see he has done. Ferretti tells us, for instance, that Celestine suddenly and unexpectedly made his abjuration before the cardinals, and then ran away the same day to Apulia: whereas he was quietly at Naples, and did homage when Boniface was elected, ten days later. He then relates how Cardinal Benedict cajoled the cardinals and the king of Naples, and had himself appointed nominator of the new pope; and so elected himself. Sismondi without a word quietly rejects all this, and contents himself with saying, that he was chosen by the unanimous suffrages of all the cardinals. So much for the authority of Ferretti—at present—so much for the fairness of M. Sismondi, in referring to authorities. Of this, too, more anon.

The first question which may reasonably be asked, is, "did Cardinal Cajetan use any unfair arts to induce Pope Celestine to resign?" The second is; "if he used legitimate means was he not fully justified in doing so?" We premise that what Sismondi says regarding the pope's being purposely misled by Cardinal Benedict, is a pure conjecture or invention of his own. We proceed therefore to answer our queries.

We say, then, that the most accredited writers of the times do not warrant us to attribute the resignation to this cardinal, or at least to him more than others, or otherwise than as the organ of the general opinion. Ptolomæus Lucensis, the confessor of St. Thomas Aquinas, who exhibits no partiality for Boniface, gives the history as an eye-witness. He tells us, in general terms, that in consequence of the pope's conduct, the Sacred College suggested to him to resign, that so grievous an injury might be avoided. "*Hoc igitur percipientes quidam*

de collegio jam incipiunt quereleri, et Ecclesiæ fluctuationem attendere, ac etiam eidem pontifici insinuare sub prætextu suæ sanctitatis, quantum sibi periculum imminebat. . . . Vadens igitur illuc" (to Naples) "*multum stimulat ab aliquibus cardinalibus* quod papatui cedat, quia Ecclesia Romana sub ipso percilabatur, et sub eo confundeatur: quibus stimulis concitatur Sanctus Pater."* Again: "Hoc autem non obstante, *adhuc aliqui cardinales* mordaciter infestant, quod in periculum animæ suæ papatum detinebat, propter inconvenientia et mala, quæ sequebantur ex suo regimine."†

Another contemporary historian, and even eye-witness of the transactions of the papal court, James Cardinal of St. George in Velabro, known also by the name of Stephanesius, has left us a long poem, with a prose introduction, on the resignation of Celestine, and another on the coronation of Boniface. He tells us, in his introduction, that what he wrote he knew, had seen, and touched with his own hands: for he thus speaks of himself: "Scito, qui noscere desideras, hunc quidem [esse] qui ex veridica re, veluti præsens, videns, ministrans, palrans, et audiens, notusque pontifici (Cælestino) quin pontificibus carus, impactam compegit metrisque refudit historiam."‡ Moreover, the cardinal shows himself particularly attached to Celestine while living, and devout to him after death, as he composed the prayers and responsories for his office.§ His prose account of Celestine's resignation is very brief. It is as follows: "Against the will and dissuasions of some, and particularly of the brethren of his institute" (the Celestine monks founded by him), "and in spite of their opposition, so soon as he learnt that he might, he showed that he was willing to resign. For in the month of December, on the feast of St. Lucy, Virgin, when the report of his abdication had died away, he resigned the honours and burthens of the papacy into the hands of the Sacred College. This resignation, the senate of cardinals, astonished at so wonderful an event, received with great veneration, and shedding many

* Ptol. Luc. Hist. Eccles. ap. Murat, Rerum Italicarum Scriptores, tom. xi. lib. xxiv. c. 22, p. 1200.

† Ibid. cap. 23. Raynaldus, in his continuation of Baronius, quotes a passage from this chapter which does not occur in the published work. Muratori was its first editor. In this passage Cardinal Cajetan is mentioned by name. It is as follows: "Dominus Benedictus cum aliquibus Cardinalibus Cælestino persuadet ut officio cedat, quia propter suam simplicitatem, licet sanctus vir et vitæ magni foret exempli, sæpius diversis confundeatur ecclesiæ, in gratiis faciendis et in regimine orbis."

‡ R. I. S. tom. iii. p. 614.

§ P. 615. See the office, p. 668.

tears.* But in his poem he goes much more into particulars. He tells us, therefore, that Celestine, conscious of his own incapacity, and finding himself unable to retire, as he desired, into an artificial solitude in his palace, began seriously and with tears, to consider, whether he might not put an end to his anxieties, by retiring from the dignity which caused them. This, he tells us, he learnt from Celestine himself, after his resignation.† While meditating upon this scheme, he took up a little book, in which he used to find some instruction during his eremitical life, being, by the description, a collection of principles of canon law, adapted for religious men.‡ In this he found that a person holding office was at liberty, for just reasons, to resign it; and arguing upon these premises, concluded that he ought to enjoy the same right. One objection alone presented itself: every one else could resign into his superior's hands, but the pope had no superior. To solve this difficulty, he called in the advice of a friend.§ Perhaps this friend was Cardinal Cajetan; in fact this seems to us most probable. Now, he, upon being interrogated, first objected to the pope's proposal, and attempted to dissuade him, against his own conviction of the expediency of abdication.¶ He then added, that if these

* Ib. p. 616.

† Vita S. Celestini V, lib. iii. cap. iii. p. 638.

"Cesserat angustum Regalis culminis aulam

In latius, et meditans sibi nec lacrymabilis inquit,

(*Ut nos riva Patris docuit vix.*)"

The author's own gloss adds: "Scilicet auctorem operis: nam celestina sibi dixit quæ sequuntur, post cessionem tamen."

‡ "Juris nonnulla docens, excepta labore

Arteve prudentum."—I, 638.

§ "Sed jubet acciri coram, cui fatur, unicuique." The gloss: "Amicus ille quem Celestinus consulabat."—Ibid.

¶ "Ille tamen cantus mentem simulare coëgit:

Cur, Pater, his opus est? Quoniam cunctatio curam

Iugerit? Optatis obsisto gravare quietem."—Ibid.

A critical vein has come over us, and, though perhaps the passage may not be thought sufficiently classical to deserve the trouble, we will even follow in it. The verse immediately following these words is thus given by Muratori:—

"Hæc præter fundata, Pater, curanda per orbem."

The meaning of this is anything but clear. However, it happens that the third word is a conjectural emendation for *funda*, which, besides making no more sense than the substituted word, left the verse short of a syllable. But Rubens (John Ross), in his "Bonifacius VIII," Rome, 1651, quotes the passage from another manuscript no doubt correctly. "Hæc præterfunda Pater." Though the word is certainly not classical, it makes both sense and metre; and any one acquainted with the curiæ character of that day, will easily understand how *funda* could be turned into *funda*, and so suggest the necessity of Papebrooke's emendation. But what are we to make of the rest of the line? Nothing, we fear, unless we take a liberty such as the editor has had to take with more than

was sufficient cause, he no doubt *could* resign his dignity. "That is enough," the holy pontiff replied; "of the sufficiency of the cause *I* am the proper judge." He then called another counsellor,* and received the same assurance. His mind was thus made up. Now, taking it for granted that the friend called in by Celestine was Cardinal Cajetan, how different is this narrative, by an eye-witness, from the statements of M. Sismondi and others! We learn that the pope was the first to think of resignation; and this fact our poet assures us he had from the pope's own mouth; and he relates the circumstance of the book, not mentioned by other historians,—one most natural, and unlike a mere invention. Then Cardinal Benedict is called in, and, instead of urging him forward, concealing his own thoughts (which we willingly grant were in favour of resignation), endeavours to dissuade him, but gives such information as confirms the mind of the pontiff; who, however, seeks further advice. Whatever, therefore, may have been the sentiments of Cardinal Cajetan, as to the propriety of the pope's resignation (which, we have no hesitation in saying, *ought* to have been in its favour), there is no appearance here of the base arts by which he is asserted to have originated the idea in Celestine's mind. And surely the statements of one who relates what he saw himself, or, where he speaks of another's motives and acts, what he heard from his mouth, deserved some notice at least—even if only to warn readers that there was such a narrative.

Another contemporary writer confirms one part of Cardinal James's account, that Benedict endeavoured to dissuade Celestine from resigning. Blessed Ægidius Colonna, the disciple of St. Thomas Aquinas, and the particular friend of Pope Celestine and of Philip of France, in his work *De Renuntiatione Papæ*, writes: "comprobari posse ex pluribus nunc viventibus, Dominum Bonifacium Papam VIII, tunc in minoribus agentem, et Cardinalem tunc existentem persuasisse Domino Cælestino, quod non renuntiaret; quia suf-

twenty places in the chapter. For the text of this poem is most corrupt. We propose, therefore, to read—

"Hæc præterfienda, Pater venerande per orbem."

The word which we amend would be written *venerande*, and in the close character of the age would easily be altered into the present reading.

* — Vocat inde alium quo firmius esset
Consilium. Firmabat idem. Gaudebat anhelus
Presbyter altipotens, statuens in corde relatum."—p. 639.

ficiebat collegio, quod nomen sue sanctitatis invocaretur super eos, et pluribus audientibus hoc factum fuit.”*

If it be said, that so far we have only the testimony of friends, we may ask, in reply, is not the testimony of friends on the spot, at least as good as that of enemies at a distance? But we will remove this difficulty, by giving that of one who cannot be suspected of partiality for Boniface, and who yet had the most satisfactory means of information. We allude to the anonymous author of St. Celestine's life, preserved in MS. in the secret archives of the Vatican, to which a slight reference is made by Rubeus,† but which we have diligently transcribed, with reference to this matter. The title of the work ran thus: *Incipit de continua conversatione ejus (Celestini) quæ quidam suus scripsit devotus*. Throughout his work the author shows himself intimately acquainted with the movements and thoughts of Celestine, to such an extent, that we must suppose him to have been one of his intimate companions. He thus relates the circumstances of his resignation. “Adveniente vero quadragesima S. Martini papa ille sanctus decrevit solus manere et orationi vacare, feceratque sibi cellam ligneam intra cameram fieri, et cepit in eadem solus manere, sicut ante facere consueverat.” This construction of a cell in the palace is mentioned by Cardinal Stephanesius,‡ Vegius,§ and other writers; the former of whom complains of Celestine's hiding himself in it from the duties of his station. His disciple thus proceeds: “Et sic eodem ibi permanente, cepit cogitare de onere quod portabat, et quo modo posset illud abjicere absque periculo et discrimine sue animæ. Ad hos suos cogitatus adlocavit unum sagacissimum atque probatissimum cardinalem tunc temporis Dominum Benedictum, qui ut hoc audivit gavisus est nimium, et respondit ei dicens quod posset libere, et dedit eidem exemplum aliquorum pontificum, qualiter olim renuntiaverunt. Hoc illo audito quomodo posset papatus libera, renuntiare, ita in hoc firmavit cor suum, quod nullus illum ab illo potuit removere.” So far the individual friend and disciple of Celestine confirms all that we have learnt from other contemporary writers: first, that his resignation was not suggested even by Cardinal Benedict, still less procured by unworthy arts, but was the result of his own reflections; secondly, that Cardinal Benedict was called in by him as his counsellor, and *only* answered him with regard to his *right* to resign. The allusion,

* Cap. xxiii.

† Ubi. sup. p. 638.

‡ Bonif. VIII. p. 13.

§ Apud Rub. p. 11.

in the passage just quoted, to previous cases of resignation is explained by the constitution which he published on the subject,* and which his successor included in the sixth book of Decretals,† as well as by St. Antoninus, to refer to the supposed resignation of Pope Clement I in favour of St. Linus. Our biographer then proceeds to give the account of a procession which took place, upon a rumour of this intention of the pope getting abroad. Of this likewise we have an account from Cardinal Stephanesius, and another still more detailed from Ptolomæus Lucensis, who tells us that he was in it.‡ Many bishops and all the clergy, at the king's desire, he tells us, were there. Arrived at the Castel Nuovo, where the pope resided, "we called out," he continues, "in the usual form, for his blessing." The pope, out of respect for the procession, came to the window with three bishops. After the papal benediction, one of the bishops of the procession came forward, and in a loud trumpet-voice (*vocē altissimā et tubali*), so that all in the square heard him, entreated him not to resign. He replied, through one of his attendant bishops, that he would not do so, unless further reasons urged his conscience. Whereupon the bishop intoned the *Te Deum*, "in the name of the king and kingdom."§ After relating this event, Celestine's anonymous biographer thus continues: "Audiens et videns idem papa tantam pietatem omnium qui aderant, distulit illam voluntatem: sed a proposito concepto nunquam recessit, nec fletibus, nec clamoribus, nec etiam rogamini- bus; sed conticuit ad tempus fere octo diebus, ut non molestaretur, et sic per istam sufferentiam omnes credebant illum ab ipso penituisse proposito. Sed infra octo dies,|| con-

* We will give the account of this constitution in the quaint phrase of Paolino di Piero, in his "Cronica," published by Muratori, R. J. 8., tom. ii, p. 48.

† "In quello anno quello Celestino Papa andò a Napoli: e daddovero egli era uomo molto santo e religioso e di buona vita, e lo Re Carlo li fece grande onore, e ricevettelo graziosamente. Questo feze una nuova Decretale di nouvo, che mai infino a lui non era essuta, che fece che ogni Papa d'allora innanzi potesse rinunziare il Papato per utilità dell' anima sua; o quando egli ebbe questo decreto fatto e fermo, ed approvato per li suoi Compagni. . . . in presenza dei Cardinali si depuose il manto, e rinunziò la Signoria e l' Papato, e feceene fare carta." &c.

‡ Cap. Quoniam de Renunciat. Sanct. Antonin. ap. Raynald. ad an. 1295, tom. iv. p. 155, ed. Mansi.

§ "Quod cum perpendisset Rex et Clerus, mandat fieri processionem a majori ecclesia usque ad Regia Castrum, cui processioni ego interfui."—H. E. ubi sup. p. 1201.

§ Ibid.

|| This again agrees with Ptolemy's account, that the procession took place about the feast of St. Nicholas, the 6th of December; the resignation took place on the 13th.

vocavit ad se istum quem prædiximus Cardinalem Dominum Benedictum, et fecit se doceri et scribi totam renuntiationem, qualiter et quo modo facere debebat.”* Thus we have a perfect accordance between all persons on the spot, and persons who in two instances had the account from Celestine himself, completely at variance with that which Sismondi prefers.

But this true view of Celestine's resignation is further confirmed on every side. Even Villani does not suppose Boniface to have been the first to suggest it, but makes him come in, after Celestine has himself conceived the idea.† Nay, strange to say, Ferretti of Vicenza, Sismondi's best ally, agrees in this same view.‡ Amalric Augerius, a bitter foe to Boniface, does not hint at his having a hand in the resignation, but attributes it entirely to Celestine's own feelings.§ Other authorities will be given later, but there is one which we cannot forbear quoting. It is that of Petrarch, who may justly be placed as a set-off to the accusations of Dante. In his book, *De vita solitaria*, he censures the poet for attributing the resignation of St. Peter Celestine to baseness or cowardice; and proves at length the noble and sublime character of the act. He then proceeds: “I return to Celestine, whose joyful and spontaneous descent, showed how painful and unwilling his ascent had been. *I have heard persons who saw it, relate*, that he fled with such joy, bearing in his eyes and on his brow such marks of spiritual gladness, when he retired from the consistory—now restored to himself and free, that he seemed as though he had withdrawn, not merely his shoulder from a mild yoke, but his neck from the fatal axe; and that his countenance was radiant with an angelic brightness.”||

Such then is, we may say, the unanimous testimony of all who had immediate opportunities of knowing the facts. All concur in freeing Celestine's successor from any suspicion of having forced him, by any unworthy arts, into a resignation.

* Cod. Archiv. Vat. Arm. xii. cap. i. No. 1.

† “Questi (Messer Benedetto Guatani d'Alagna) si mise d'inanzi al santo padre *sentendo* ch' egli avea voglia di rinunciare il papato, dicendoli che *chieder* una nuova decretale,” &c.—*Istorie Fiorentine*, lib. viii. c. 5. tom. iv., Milan, 1802, p. 11.

‡ *Ubi sup.* p. 966.

§ “Item quod cum ipse Cælestinus postea attendisset ipsum non esse idoneum ad regendum hujusmodi papatum . . . ideirco,” &c.—*Vitæ Roman. Pontif. R. J. S.* tom. iii. part ii. p. 434.

|| *De vita solitaria*, lib. ii. sec. iii. cap. 18.

There are, however, one or two minor points in Sismondi's narrative which deserve animadversion, as further evidence of his unfairness. He tells us, that Boniface first tried to gain the favour of the king of Naples, by making him the most unbounded offers of service, if he would procure him the papacy; and that, having deceived the king into a promise of his friends' votes, he began to employ his arts upon Celestine to induce him to resign. Now surely, independent of the untruth of the latter portion of this statement, the whole story at once strikes one as incredible. Cardinal Benedict and Charles were, according to Sismondi, declared enemies, owing to a severe reproof given by the former to the latter, on his interfering in matters of the conclave at Perugia.* At the same time Celestine was the king's subject and devoted friend, had granted him everything he had asked for, and had even, to please him, transferred the papal court to Naples. Charles, according to M. Sismondi, "had acquired the greatest influence over the mind of Celestine."† Now, we ask, is it credible that this Cardinal Cajetan, whom Sismondi represents as the haughtiest and most unbending, in his arrogance, of men, would have condescended to court the favour of his enemy? Or is it not still less credible that he, who was at the same time the most wary, or as his enemies would say, the most astute of statesmen, would think of applying to such an enemy, to assist him in removing from power, to make place for himself, one whose mind that enemy ruled, and of whose friendship he was sure? But this is not the worst. The only historian who records the interview between Cardinal Benedict and Charles, adopted by Sismondi, is Giovanni Villani, and to him the modern historian refers as his authority: but mark in what manner! The Florentine puts the conference *after* Celestine's resignation, when the king's influence over his mind could be of no further avail, and when he might be supposed ready to listen to overtures from one so likely to be his successor. But Sismondi makes no difficulty in adopting the story, but arbitrarily changing its date, and placing it anterior to the resignation. This, of course, materially affects the character of Boniface. For to have solicited suffrages for the vacant papacy would not have borne the same stamp of baseness, as to do so before removing its occupier. For this change Sismondi gives two

* Ptolem. Lucens. ubi sup. cap. xxxi. p. 1200; Sismondi, p. 81. † P. 79.

reasons. First, "it is not likely the cardinal would urge the pope to resign, till he had secured his own succession." We have seen that the resignation was not the result of any such malicious plot as this supposes; we have seen how improbable such a course as this attempt to gain Charles was in such a man as Boniface. "It is not likely," must be taken with the additional salvo of "in the fictitious character of this pope, where-with it has pleased Sismondi to amuse his readers." Secondly, an interview after the resignation "was not possible, because the cardinals were then rigidly shut up in conclave."* Even this is not correct. The cardinals did not go into conclave till ten days after the resignation, and only remained in it one day; for at the first meeting they elected Boniface.† But if M. Sismondi will have it that Villani's account cannot be placed *after* the papal chair had been vacated, to which we willingly accede, though not for *his* two reasons, we have no hesitation in saying that it could not have taken place *before* that event. For, from the account already quoted of Ptolemy of Lucca, an eye-witness, we see that King Charles sent a procession of bishops and clergy on the 6th of December to entreat Celestine not to resign. And his faithful disciple and companion assures us, that between this time and the eve of his resignation, he perfectly concealed his intention. How can we reconcile this anxiety of the king to prevent the vacancy of the see with a plot to dispossess its occupier; or how can his understanding with Boniface be consistent with total ignorance, to the end, of any intention on Celestine's part to resign? But further than this, Cardinal Stephanesius, an eye-witness, informs us that Charles showed himself bitterly disappointed at the election of Boniface, which was completely contrary to his expectations.‡ Such is M. Sismondi's way of using his authorities.

As we are on this subject, we may as well mention another instance of this practice of our historian. As a proof of Boniface's arrogance, he relates a well-known tale, of the archbishop of Genoa, Porchetto Spinola, presenting himself

* P. 82, note.

† " — Excusso bis quino lumine l'arbi
Carere clauduntur."

Stephanes. De Elect. Bonif. VIII. ubi sup. p. 642.

‡ " — Caroli spes cepta precando
Defecit, miserante Deo. Sunt ista relatu
Digna, quod et patri nec non sibi præsita noscens
Munera ab Ecclesia, vultus avertit et ora."

De Elect. Bonif. ubi sup. p. 642.

for ashes on Ash Wednesday, and the pope's violently throwing the ashes into his eyes, exclaiming: "Memento quia Ghibellinus es, et cum Ghibellinis tuis in pulverem reverteris." For this story authorities are not wanting. For instance, George Stella, in his *Genoese Annals*, relates it.* But Sismondi prefers referring his readers to a better known name; to wit, the learned Muratori, who could not be supposed to sanction the tale, so injurious to the character of the pope, without being convinced of its truth.† Would the reader expect that Muratori, in the place referred to, rejects it as a fable? Yet so it is!‡

2. We come now to our second query: "if Cardinal Benedict used legitimate means to induce the pope to resign, was he not fully justified in doing so?"

We have shown that this cardinal used no unfair arts to bring about the resignation of Celestine; but we fully admit that when called in to give his advice, he followed, in the first instance, the natural impulse of any honourable mind, by endeavouring to calm the pope's uneasiness, and dissuade him; but afterwards showed him that it was in his power to lay down his burthen. Moreover, we have no difficulty in admitting that his own views were (with those of the Sacred College) in favour of the resignation. For attributing a particular ambition to him beyond others, in his sentiments and motives, we have only the warrant of the fact that he was Celestine's successor. Whoever gains by another's loss will be surely suspected, by his enemies, of having procured this. The inference is not correct, but, unfortunately, in a corrupt world, it is natural. We do not pretend to pry into Boniface's heart: we do not maintain him to have been exempt from those secret and lurking feelings, which subtly seek for self, under the cover of public good. But two things strike us as worthy of remark. First, if Cardinal Cajetan was so deeply ambitious, and so clever withal, as to set his heart upon the papacy while in another's possession, and resolve upon the unheard-of expedient of forcing him to resign, and to be able in a few days to secure himself the prize, when it had to be won in spite of the king's personal hostility, and with a college

* Georgii Stellæ Annales Genuenses, lib. ii. R. J. S. tom. xvii. p. 1019.

† P. 136, note (1).

‡ "Verum hoc fabulam sapit."—Præfat. in Chron. Jacobi de Varagine, R. J. S. tom. ix. p. 3.

of cardinals just "swamped," to use the modern phrase, by an irregular creation of Neapolitan and French cardinals, how comes it that he made no attempt to gain the object of his ambition, *before* Celestine's election, when all were wearied with a two years' vacancy,—when there had been no quarrel with Charles,—and when the Roman party had complete preponderance in conclave? Secondly; how are we to account for the immediateness of his election, and the unanimity of the suffrages, but on the supposition that his talents, learning, and other qualities, made him recognized by all his brethren as the fittest for the sublime post of supreme pontiff. And if so, why either, on the one hand, attribute to the worst motives what may have been the natural consequence of obvious causes, or why, on the other hand, treat a man as more than usually ambitious—nay, as basely so, if he did feel that passion, which few men are without, though far his inferiors in abilities, in position, and in prospects? In other words, why attribute to fraud and intrigue the rise of a man of first-rate talents above his inferiors, as though this was not a usual event,—the result of a constant social law; or why make that man a monster who feels his superiority, and tries to exercise it? Not that, supposing this to be Boniface's case, we wish to justify it:—for the humility which, with the sublimest talents, seeks the lowest place, is the true character of a fit holder of the highest. But we are not seeking to make him out a saint—we are only striving to vindicate him from foul imputation. Let us, therefore, even grant that he *was* ambitious; our only conclusion must be, that he was, like ourselves, a frail and peccable man.

But to return to our question; we will content ourselves with giving the account of St. Celestine's proceedings during his short pontificate, extracted chiefly from contemporary authors. Thus writes James, Archbishop of Genoa, at that time. After telling us that Celestine created at once twelve cardinals "in the fulness of his power," and then one more, contrary to all forms and usages, "in the fulness of his simplicity," he proceeds: "*Dabat enim dignitates, prælaturas, officia et beneficia, in quibus non sequebatur curiæ consuetudinem, sed potius quorundam suggestionem, et suam rudem simplicitatem. Multa quoque alia faciebat, in quibus non sequebatur præcedentium patrum vestigia, nec eorum statuta. Et quamvis non ex malitia, sed ex quadam simplicitate hæc feceret, tamen in magnum ecclesiæ præjudicium redundabant.*"

Quocirca ipse videns suam insufficientiam et inexperientiam, salubri dubito consilio, constitutionem fecit," &c.* The cardinal of St. George enumerates these and other evils. He compelled the monks of Monte Casino to put on the habit of his own order; he created in one day twelve cardinals; seven French, not one belonging to the papal state.† He tells us that the entire list was made out by Charles; that on the day preceding the nomination, no one knew of the intended creation, which was quite unexpected. Again, he writes,

"O quam multiplices indocta potentia formas
Edidit, indulgens, donans, faciensque recessu,
Atque vacaturas concedens atque vacantes."‡

Another grievance (in which we do not agree with the cardinal) was his reviving the severe constitution of Gregory X, respecting enclosure in conclave, which his successor Boniface confirmed. Ptolomæus Lucensis, who, as we before said, was no friend of Boniface's, thus describes Celestine's administration, after having passed a high eulogium on his virtues. "However, he was often deceived by his officers, with regard to favours granted, of which he could have no cognizance, as well through the powerlessness of old age (for he was in a state of decrepitude), as through his inexperience of government, with regard to frauds and the tricks of men, in which the curials are much versed. Hence the same favours were found to have been granted to two, or three, or more persons, even on blank but sealed parchments."§

The *Milanese Annals* thus speak of him: "Plura alia faciebat quæ in magnum scandalum ecclesie redundabant. Qui videns suam insufficientiam decretum edidit . . . et post pauca papatui renunciavit."|| It would be easy to multiply testimonies; but these will suffice to prove the unfitness of Celestine for the sublime office and dignity to which he had been raised, entirely through the fame of his virtue,—fitter for a desert than for the apostolic see,—by persons who had never

* *Chron. Jannense*, R. J. S. tom. ix. p. 54. Franciscus Pipirus has nearly the same words, *Chron. ib.* p. 735. He attributes the resignation, however, in part to Boniface, but only as a report: "ut nonnulli referunt."

† To this, in no small part, may be attributed the translation of the papal see immediately after to Avignon.

‡ *Ubi sup.* p. 628.

§ *Ubi sup.* p. 1200. The last clause, we suppose, means that his seal was procured by his officers for blank deeds, which they fraudulently filled up.

|| *Annales Mediolan.* R. J. S. tom. xvi. p. 683.

seen him, and, with the exception of the cardinal who proposed him, and who died before the pope's coronation, knew nothing of his qualifications beyond the austere holiness of his life. There are two points which we must briefly touch upon, because they confute some erroneous views of modern historians. One is the grievous thralldom which he nearly brought upon the Church, by transferring the residence of the Roman court to Naples, at the instigation of Charles, and creating cardinals to any amount which the king chose,—showing himself in every way his subject. This was indeed a serious evil, and one to warrant his advisers in recommending him to resign a power which he could so easily be induced to sacrifice, or rather to betray. But at the same time, what a confutation we have here of Sismondi's most unsupported and most unwarrantable insinuation,—that Celestine probably committed so many mistakes, only because his perfidious adviser purposely led him into them! Can we imagine a prudent and sagacious man, like Boniface, trying to dispossess another of power, by advising him to strengthen the arm and influence of his own enemies? Had Boniface, who was a decided *Roman* in every respect, guided Celestine in everything, from the beginning, as Sismondi would have us believe, surely he would have induced him to go to Rome, and not to Naples; he would have filled the sacred college with his own friends, and not with the subjects and creatures of the party hostile to him. The second point is, that Celestine threatened great mischief to religion by the liberality with which he scattered spiritual favours, particularly indulgences. Hence, almost the very first act of Boniface's was to recall one most ample concession of this character, in favour of the church of our Lady de Collimadio, near Aquila,* and to suspend all other such grants till further examined.† Now let us hear Mosheim tell us, that “the austerity of his manners, which was a tacit reproach upon the corruption of the Roman court, and more especially upon the luxury of the cardinals, rendered him extremely disagreeable to a degenerate and licentious clergy; and this dislike was so heightened by the whole course of his administration (which showed that he had more at heart the reformation and purity of the Church, than the increase of its opulence and the propagation of its au-

* Raynaldus observes that the grant was made quite in an unusual form. *Annal. ad An. 1294*, p. 145.

† *Regest. Bonif. VIII.*, in *Arch. Vat. Epp.* 75 et 120.

thority) that he was almost universally considered unworthy of the pontificate.* This is really too bad! Not only is this description void of the slightest contemporary authority, nay in stark contradiction to every such authority, but it is in direct opposition with the principles of the writer. For surely, as a Lutheran, he could not consistently hold the lavish concession of *indulgences* to be the best way of advancing "the reformation and purity of the Church." Yet this liberality is particularly characteristic of Celestine's government.

In conclusion of this portion of our subject, we will quote *Sismondi* himself as sufficient authority for our position; that Cardinal Benedict had sufficient grounds for counselling Celestine to abdicate, if he used only legitimate means for the purpose. "Bientôt," he writes, "Célestin donna des preuves plus éclatantes encore de son absolue incapacité pour gouverner l'Eglise."† Surely absolute incapacity for an office, makes it matter of conscience to resign it! Hence the best friends of Celestine considered his resignation to be the result of a divine inspiration, approved by miracles, and by prophecy, through his announcing to Benedict that he should succeed him. To avoid further prolixity, we will only quote his anonymous friend and biographer before referred to; who having related the miracles wrought in ratification of the abdication, thus continues: "Post hæc collegerunt se cardinales ad electionem alterius papæ, et ille qui esse dedebat hic vir sanctus (Celestine) prædixit et intimavit Domino Thomæ quem ipse fecerat cardinalem, et Domino Benedicto qui fuit electus in papam. Electo igitur papa illo videlicet quem pater sanctus prædixerat, statim ad illum introivit, et ejus pedes osculatus est."‡

Every little circumstance connected with Boniface's accession to the pontifical throne is made matter for carping censure. Thus, when he rode in procession at his coronation, a modern publication quotes it as a proof of his pride, that two kings (Charles of Naples, and his son, called the king of Hungary) walked by his stirrups.§ Now it so happens that Celestine, whose humility Protestant historians extol beyond their wont, that so they may the better depress Boniface, though he would only, on a similar occasion, ride on an ass,

* Ubi sup. p. 367.
† Fol. 41.

† Ubi sup.
§ Rees's Encycl. "Bonif. VIII."

was attended by the same princes;* who in fact came as feudatories of the holy see, as well as to pay a willing homage to the successor of St. Peter.†

It is not necessary to enter into a detailed explanation of Boniface's conduct towards his predecessor. The account in Sismondi is indeed highly coloured, but it proves some important admissions. One is, that numbers of persons, especially in the Neapolitan territories, would not admit the lawfulness of Celestine's resignation, but would continue to consider and treat him as Pope.‡ Another is, that he was an easy tool in the hands of any party, by means of which a schism might be raised in the Church,—an event not at all improbable in the actual disposition of some states; and in fact, attempted as we shall see by the Colonnas and France.§ Further, we see that the holy, but weak-minded man, under the advice of his friends, repeatedly endeavoured to defeat the Pope's plan of having him in Rome, and several times escaped from his conductors. The result was, that Boniface put him in a place of safety, the Castle of Fumone. Sismondi's account leads us to suppose that the good old man was treated with unnecessary rigour in his confinement. This is not correct. A feudal tower in Italy at that age was certainly at best but a comfortless tenement, and so far the confinement was rigorous. But we must judge by the feelings of that age, and not by our own. Ptolemy of Lucca thus writes:—"Sed Bonifacius post ipsum nuntios seu veredarios transmittit ad ipsum detinendum, et inventum ipsum

* "Intumidus vilem Murro conscendit asellum,
Regum fræna manu dextra lævaque regente."

Stephan. p. 634. See also Raynaldus.

† "Illi reges sociare patrem venerere volentes;
Jure tamen; nam sceptrum tenet vassallus ab ipso
In feudum Siculus."—De com. Bonif. ib. p. 650.

‡ Sismondi, p. 86.

§ Dante evidently expresses this feeling as a Ghibelline, when he makes St. Peter call Boniface a usurper. George Stella, no friend of Boniface's of whom he says, "alti cordis, iracundus et rigidus erat idem Bonifacius" (inf. cit. p. 1020), thus gives the same reasons for Boniface's proceedings as the authors quoted in the text:—

"Is autem, dum iter ageret, sui Redemptoris exemplo, sedens asello peribat. Tum illius summi pontificis pertæsum est: unde quia ad hæc se ut virum simplicem non sentiebat idoneum, ut quidam dicebant, vel quia cernebat amplius eremo posse mereri, constituit ut ipse, et qui simili casu forent, pontificem possent sedem relinquere. Eam liquit igitur . . . et elegit in solitudinem radice suætam. Verum expertus et scientificus valde Benedictus de Anagnina [Bonifacius] nuncupatus Octavus . . . inhibuit ne discederet ipsum iubens custodire ad evitanda scandala, si a quibusdam idem Celestinus iterum haberetur in papam."—Georgii Stellæ Annales Gen. R. J. S. tom. xvii. p. 1026.

reducunt, et in custodia ponitur et tenitur, pro cavendo scandalo Romanæ Ecclesiæ, quia apud aliquos dubitabatur accedere potuisset, et sic poterat schisma in Ecclesia generari, *Tentus igitur in custodia non quidem libera, honesta tamen, in Castro ut dicunt Fumonis . . . moritur.** Giovanni Villani gives a similar account, which we must needs give in his own rich and racy Italian, merely assuring the Cisalpine reader, that its sense coincides very accurately with our last quotation, respecting the motives which induced Boniface to secure the person of Celestine, and the character of his "courteous custody." "Ma poi il suo successore messer Benedetto Guatani detto di sopra, il quale fu dopo lui chiamato Papa Bonifazio, oi dice e fu vero, che fece pigliare il detto Celestino alla montagna di santo Angelo . . . ove s'erra ridotto a fare penitenza, e chi disse che ne volea andare in Schiavonia; e privatamente nella rocca di Fumone in Campagna *il fece tenere in cortese prigione*, acciò che lui vivendo non si potesse opporre alla sua elezione, però che molti Cristiani teneano Celestino per diritto e vero papa, non ostante la sua rinunzia opponendo, che sì fatta dignità come il papato, per niuno decreto si potea rinunziare, e perchè santo Clemente rifiutasse la prima volta il papato i fedeli il pur teneano per padre, e convenne pure che poi fosse papa dopo santo Cleto."†

The Cardinal of St. George goes even further than this; and assures that, on the one hand, Boniface received and addressed Celestine with kindness, and offered him every comfort in the place chosen for his custody; but that the holy hermit declined any such alleviation, and preferred leading a penitential and eremitical life in his prison. "Post aliquis spatii, eundem quondam Cælestinum, ad Græciæ remotas tendentem plagas, ut littoribus Vestis civitatis maris Adriatici inventum forte comperit (quatenus orbis sui Ecclesiæque discrimina vitaret) solemnioribus a se Siciliaque Carolo II Rege transmissis nuntiis consentientem, Anagninam meare facit, *Claude suscipit*, laudemque exhibuit acquiescenti Præsulis monitis Castro Fumonis Campaniæ provinciæ morari. Ubi assuetam sicut prius vitam agens eremiticam, *nolens laxioribus quibus poterat uti, . . . mortem vitæ commutavit.*"‡ In his metrical account he is even more explicit, but repeats the same account of the kind reception given by Boniface, and the offers of every comfort, declined by Celestine. §

* Ubi sup. p. 1202.

† P. 616.

‡ Ubi sup. p. 12.

§ P. 658.

Without once deigning to allude to these or other similar authorities, M. Sismondi, by way of justifying the account which he gives of the severity of Celestine's imprisonment, says in a note: "Ce récit est tiré d'une vie de Célestin V, par Pierre de Aliaco, cardinal, *son contemporain*." It is not perhaps easy accurately to define what degree of proximity in time constitutes historical contemporaneity. But we think that our readers will hardly allow the term to be applied to persons, one of whom was born fifty years after the other's death. Now Celestine died in 1296, and Cardinal Peter D'Ailly, or De Alliaco was born 1350, and took his degree in 1380. His life of Celestine was therefore probably written nearly a hundred years after his death, and its author could not have either personal cognizance or direct testimony of eye-witnesses, for a single fact in his narrative. Moreover, he lived always in France, and belonged to the party hostile to Boniface's memory—the Gallican party. But the authors whom we have quoted, but whom the French historian does not allude to, were truly contemporaries, living at the time, in the place, and having personal knowledge of facts. Why is the former preferred? Simply, we are bound to answer, *because* he is unfavourable to Boniface; because the unfavourable view is more *piquant*, more romantic, more highly flavoured for the palate of such readers as historians like M. Sismondi cater for. Even Mr. Hallam allows himself to be turned aside from true historical dignity and impartiality, by the temptation of such fare. For instance, he relates a story of Boniface's appearing at the Jubilee clad in imperial robes, and wearing a diadem on his head, adding the caution, "if we may credit some historians," and acknowledging in a note that he has "not observed any good authority referred to for the fact." Yet he says he is inclined to believe it, because "it is in the character of Boniface!"* Such, alas! is too often modern history. The very historian whose duty it is to hold the impartial balance between opinions, admitting no weight into either scale, save sound evidence, is tempted to embrace an opinion, because in harmony with a view of character which he has taken, or formed upon the very evidence of such spurious tales. The enemies of Boniface pronounced him proud, haughty and disdainful, *because* he did such acts as this tale supposes. These are found untenable on historical evidence, but the false character which

* Europe during the Middle Ages, 3d ed. vol. ii. p. 322.

they have bestowed is no less kept up—and then the facts themselves are admitted upon it.

II. Hitherto we have been engaged with the commencement of Boniface's pontificate. Gladly would we transcribe for our readers the magnificent declaration of doctrine which he laid upon the high altar of St. Peter's basilica, on the day of his coronation. But we must pass it by, only referring such as wish to see it, to the learned continuator of Baronius.* To him likewise we send such as wish to be fully instructed in the great public transactions of Boniface's pontificate. In the documents so carefully given by him, they will find ample materials for correcting the erroneous views too commonly given of the Pope's treatment of other nations. They will find, for instance, that the whole of his negotiations, and the exercise of his influence and power were directed, not to the sowing of dissensions, the excitement of feuds, or the kindling of war; but to the pacification of Europe, the succour of oppressed princes and prelates, and the adjustment of differences between contending states. He had not been many days upon the throne before he at once turned his attention to the wants of every part, from Sweden to Sicily and from Spain to Tartary. The vigour displayed by him in all his measures, his efforts to gain by mild persuasions, and when this failed by energetic steps, appear in every page of his *Register*, and may be traced in the documents extracted from them by the diligence of Raynaldus. We could hope to add but little to what he has collected; though we would willingly go into some of the principal occurrences of the pontificate, especially the transactions of Sicily. However, we have undertaken to treat principally of the personal character and conduct of Boniface; and we therefore hasten on to a part of his life which has been more especially misrepresented. We mean the contest between the Pope and the noble family of Colonna, his supposed persecution of it, the destruction of their fortress and city of Palestrina, the ancient Præneste, and his consequent sufferings and death.

We will introduce the subject by a concise but candid analysis of Sismondi's narrative of the contest, and then proceed to examine it by documentary evidence. He tells us, therefore, that the occasion on which Pope Boniface most betrayed

* Raynaldus, tom. xiii. p. 164.

the violence of his character, was in this affair; the events of which he enumerates as follows:

1. There were in the Sacred College two cardinals of the illustrious house of Colonna (Peter and James), who had been opposed to the election of Boniface, and only tricked into approving of it. He cites the authority of Ferretti and Pipino. They were sufficiently powerful to be able to manifest their discontent.

2. The enmity of Boniface probably drove them to espouse the part of the Kings of Sicily (Arragon); at least this was the pretext seized by him for issuing a violent decree against them, in which he deposed them from their cardinalitial dignity.

3. The Colonnas answered this violent bull by a manifesto, in which they declared that they did not recognise Boniface for Pope or head of the Church; that Celestine had no right or will to abdicate, and that the election of a successor during his life-time was necessarily null and illegitimate.

4. This manifesto increased the Pope's rage: and he confirmed his former sentence, and issued a declaration of war against the Colonnas, in form of a crusade. An army was sent, under the direction of two legates, and many cities belonging to the family were taken. Palestrina, however, defied their efforts.

5. Upon this, Boniface sent ("we are assured") for the celebrated general Guido, of Montefeltro, now become a Franciscan friar, to come to the siege. "He ordered him by virtue of his vow of obedience to examine how the town might be reduced, promising him at the same time a plenary absolution for whatever he might do or advise contrary to his conscience. Guido yielded to the solicitations of Boniface; he examined the fortifications of Palestrina, and, discovering no way of gaining possession of them by force, returned to the Pope, and begged of him to absolve him still more expressly of every crime he had committed, or that he might commit in giving his advice; and when he had secured that absolution, he said: 'I see only one course; it is, to promise much and to perform little.' After having thus advised perfidious conduct, he returned to his convent."

6. Boniface, in consequence, offered to the besieged most advantageous terms; promised favour to the Colonnas, if in three days they appeared before him. The city was delivered up, but the perfidious counsel followed.

7. The Colonnas received secret warning, that, if they

appeared before Boniface, their lives would be taken, and they fled to distant countries.*

We really doubt whether history could match this narrative in partial and unwarranted statements. We will examine it part by part.

First, then, the whole recital of the origin of the differences between Boniface and the *Colonna* (as they are usually called) is quite erroneous. The two Cardinals did not oppose his election; neither were they tricked into giving him their votes. Our grounds for these assertions are the following. 1. The narrative of Ferretus is a mere fable, the fiction of some enemy, unsupported, or rather denied by sound testimony; in fact, Sismondi has done no more than here allude to it in general terms. 2. On the other hand, in the instrument drawn up by the Cardinals Colonna, and forwarded to every part of Europe, containing their reasons for disallowing Boniface's election and right to the pontificate; though they vaguely hint at unfair practices in procuring Celestine's abdication,† they never once allude to any irregularity in Boniface's election. Now had such a disgraceful trick been played upon the Colonnas, as Ferretus's narrative supposes, it would have cast serious doubts, at least in an enemy's eye, upon the validity of the nomination. This silence is surely of great weight. 3. Boniface himself, on the other hand, in his reply to the Colonna libel, declares that those very cardinals gave him their votes in the usual form, by scrutiny. "*Nec possent supradicta*" (acts acknowledging him for the true pope), "*metu proponere se fecisse, qui nos in scrutinio, more memoratæ Ecclesiæ cardinalium elegerant, et nominaverant eligendum in Papam, quando de nobis timendum non erat.*"‡ Would Boniface have ventured to assert this (which moreover they never contradicted, either then or afterwards, in his process) to their faces, if his election had been grossly irregular, and he had not been chosen by suffrage, but had named himself pope? 4. Cardinal Stephanesius informs us that Celestine was chosen pope by *scrutiny* and *accession*, the usual modes—the cardinals being

* P. 136, *seqq.*

† The very way in which this document speaks of these reported practices, confirms what we have written above concerning the allegations on this subject. "*Item, ex eo quod in renuntiacione ipsius multe fraudes et doli . . . interuenisse multipliciter asseruntur.*"—Ap. Raynald. p. 227. Could enemies, who were on the spot, get no better evidence, when wanted for such a purpose?

‡ Bonif. Bulla ap. cumd. p. 231.

wonderfully unanimous in their election.* 5. St. Antoninus expressly tells us that the two Cardinals Colonna were among the first to give Boniface their votes.†

2. Did the enmity of Boniface drive them to take part with the King of Arragon? We answer that Boniface showed no such enmity. Soon after his election, he became the guest of the family, trusting himself confidently into their castle of Zagarolo, and being treated, as he himself acknowledges, with marked kindness.‡ We find also in the *Regesta* of Boniface, in the Vatican Archives, favours granted to them, in the second year of his pontificate.§ What then was the origin of the feud, and on whose side did the fault lie? We answer that its origin was two-fold, and the blame entirely with the Cardinals. According to Sismondi, the contest was one between the Pope and that noble family; whereas the commencement was a family quarrel, in which appeal was made to the Pope. Cardinal James Colonna had three brothers, Matthew, Otho and Landulf, who were co-heirs with him in the vast possessions of the family. By an instrument dated April 28, 1292, preserved in the Barberini Archives, and published in an interesting, and an important work, for this portion of history,|| these three gave up the administration and possession of all the estates to the cardinal: with an understanding of course that he was to administer for their joint benefit, though without any obligation of rendering them an account of his administration. The cardinal kept entire possession, so as to leave his brothers in absolute indigence.¶ Thereupon they appealed to the Pope, who justly enough took their part, and called in vain upon their brother to do them justice. This is mentioned in the bull of deposition against the cardinal, but Sismondi never alludes to it. To read him one would imagine the Colonnas were every way innocent, and the most wronged men on earth;

* "In summum pontificem scrutinio, acclamationeque eligitur."—P. 617. Vid. lib. i. cap. i. De elect. Bonif. p. 642.

† *Chronie.* ad an. 1295; Pa. iii. tit. 20.

‡ "Et post electionem . . . in castro tunc ipsorum, quod Zagarolum dicitur, et quod per dictum Jacobum tunc temporis tenebatur . . . hospitati fuerimus, confidenter," &c.—Bonif. ubi sup. p. 231.

§ *Regest.* vol. ii. No. 442. "Dispensat. Jacobo nato nobilis viri Pet. de Columna, clerico Romano."

|| Petri, *Memorie Prenestine*; Rome, 1795, 4to.

¶ "Considerantes fore indignum, ut quibus de una substantia competit equa successio, alii abundanter affluent, alii paupertatis incommodis ingruant, quos tamen" the Cardinals "rationibus, precibus sive minis nequivimus emollire."—Bonif. (Bull. ap. Rayn. p. 1297.

and Boniface exclusively the tyrant. So far was Boniface's quarrel from being against the entire Colonna family, that one of the brothers, Landulf, was named by him a captain in the expedition against Palestrina.* The second source of strife was the one mentioned, with some doubt, by Sismondi,—the decided partizanship shown by the Colonnas for the house of Arragon, then at war with the Pope. Our historian would naturally lead us to suppose, that Boniface's bull against them was the first step taken towards them. Now, *audi alteram partem*; let us hear the Pope's own statement. He tells us that Frederick of Arragon had sent emissaries into his dominions to stir up enmity to him, and that they had met countenance and favour from the family of Colonna, and had been aided and assisted by it: that he, according to the principles of the Holy See, ever more prone to kindness and forgivingness than to severity, now strove to gain them by addressing them with fatherly kindness, now to persuade them by words of charitable correction:† and, these failing, held out to them severe threats; showing them the shaft pointed, before it was released from the bow. But nothing availed, and the Pope therefore proceeded to demand, as a pledge of their fidelity, the custody of their castles, a right constantly claimed by liege lords, when having reason to doubt their vassal's faith. This they refused, and the Pope had recourse to further steps, but not at once.‡

3. The document from which we extract these public declarations of Boniface's, is the one which Sismondi calls a violent bull, and which he tells us they answered by a mani-

* Ap. Petrini, p. 419.

† “Eos studuit (Apost. sedis benigna sinceritas) nunc paternæ lenitatis dulcedine alloqui, nunc verbis charitativæ correctionis inducere.”—Bonif. Bull. ap. Rayn. p. 225.

‡ Boniface never alludes to an outrage said by many contemporaries to have been committed against him by Sciarra Colonna, in waylaying and plundering the papal treasury. This silence may seem a sufficient denial of the fact; but we think it right to quote some out of many authorities in favour of its correctness:

“Nam et ipse dicebat quod Stephanus (Sciarra) de Columna suum thesaurum fuerat deprædatus: propter quod inter ipsum Bonifacium et dictos Columnenses summa discordia extitit suscitata.”—Amalricus, R. I. S. tom. iii. pt. ii. p. 435.

“In Roma fu grandissima divisione e quistione e guerra tra Papa Bonifacio VIII, e quei della Colonna, perocchè i Colonnessi rubarono un grandissimo tesoro al detto Papo.”—Cronica di Bologna, Ib. tom. xviii. p. 301.

“Eodem anno Columnenses Romani accesserunt et derobaverunt magnum thesaurum auri et argenti Dno Papæ Bonifacio.”—Chronicon Estense R. I. S. tom. xv. p. 344, most hostile to Boniface.

“Nobiles etiam de Columna inimicos habebat, contra quos processit, quia Stephanus de Columna ipsius Papæ fuerat prædatus thesaurum.”—Georgii Stellæ Annales Genuenses, lib. ii. Ib. tom. xviii. p. 1020.

festó denying the Pope's title to the papacy. He is as accurate as usual: the Colonna manifesto was issued, within a few hours, at the same time as the bull; it probably had the advantage of being the first out. But we must fill up one or two important omissions of M. Sismondi. One would naturally conclude from his narrative, that the denial of the Pope's rights was imagined by the Colonnas in revenge or retort for the bull. Now let us look a little at the chronology of events. Let the reader bear in mind that this document, abridged by Sismondi, bears date the TENTH OF MAY, 1297. So open were the declarations of the two cardinals, uncle and nephew, against the validity of Boniface's election, before this period, that ON SATURDAY, THE FOURTH of that month, the latter had sent John of Palestrina, one of his clerks of the chamber, to Cardinal Peter Colonna, summoning him to appear that very evening before him; because it was his wish to put the question to him, in the presence of the other cardinals, whether or no he held him to be true Pope. The prelate conveyed the message; but the two cardinals, instead of obeying, fled with many of their family that night from Rome.* This message the Colonnas themselves admit to have been sent to them, in their libel or manifesto.† Where they concealed themselves at first is not known; but this is certain, that at day-break on THE TENTH, they were at Lunghezza, a house belonging to the Conti family, in company with the apostolic writer Giovanni da Gallicano, two friars minor, Decato Rocci of Monte Prenestino, and the singular, and afterwards most holy, Jacopone da Todi, and a notary of Palestrina, Domenico Leonardi, who, by their order, wrote the manifesto, denying Boniface to be Pope, which Sismondi speaks of as an answer to a bull published at Rome, twelve miles off, the same day, and probably later in the day! This libel, as contemporaries justly call it, they sent in every direction,‡ and even had affixed to

* Pierre du Puis, Histoire particulière du grand différend entre Bonif. VIII. et Philip le Bel. Thuan. Append. to vii. p. ix. p. 33.

† "Dicendo vos velle scire utrum sitis papa, prout in mandato per vos facto, si mandatum dici debet, per mag. Joannem de Penestre, clericum camere continetur expresse."—Ap. Raynald. p. 228.

‡ Bernardus Guido thus writes of it: "Deinde Domini Jacobus et Petrus de Columna, patruus et nepos Cardinales videntes contra se motum papam, libellum famosum conficiunt contra ipsum, quem ad multas partes dirigunt, asserentes in eodem ipsum non esse papam, sed solummodo Celestinum. Unde citati a Bonif. Papa non duxerunt comparandum, et facti sunt contumaces."—R. I. S. tom. iii. p. 670. This would seem to allude to some libel even prior to the summons through John of Palestrina. Amalricus Augerius thus describes it:

"Jacobus patruus et Petrus ejus nepos de Domino Columnensium tunc Reclusi

the doors, and placed on the high altar of St. Peter's Church.* Is it a wonder that after this bold act of defiance, against Boniface's power both spiritual and temporal, he took up both swords, and proclaimed war against his contumacious clergy and rebellious vassals? His invitations to his friends were obeyed; the neighbouring states sent him troops,† or seized, like the people of Forli, the castles belonging to his enemies;‡ and soon Palestrina alone remained in their possession.

4. This city had been all along the stronghold of the Colonnas, the nest in which all their treasons had been hatched, the refuge to which they could flee in security;—Boniface therefore turned all his forces against it. On this point we have no comment to make.

5. But now comes the sad history of Guido of Montefeltro. First let us ask what historical authority there is for the tale of perfidy, which Sismondi with great "assurance" relates of Guido's being at all present at the siege, or giving any such advice? He quotes, indeed, three,—Dante, Ferretus and Pipino;§ virulent enemies of the Pope. Between the narratives of the two latter there are glaring contradictions, one at least of which we shall have occasion to see; and Ferretus, as Muratori well observes, had no better voucher or guide for this tale than the poet, whose very words he quotes. Moreover, through the whole of his narrative about Boniface, he evidently writes from hearsay and calumnious reports, using such expressions as "they say,—it is reported"; as the learned Italian critic observes. Nay it is in truth, rather startling to find Sismondi referring for his authorities to the pages of Muratori, and never even hinting that their sagacious publisher in both places rejects, as mere fictions and calumnies, the very passages for which he refers. Thus he writes on Ferretus:—"Quæ hic habet Ferretus de Bonifacio VIII et Guidone antea Montis Feretri Comite pervulgata jam sunt; eadem enim paucis ante Ferretum annis

Romane Cardinales contra ipsum Bonifacium quendam libellum famosum composuerunt, et ad plures et diversas partes ipsum transmiserunt, et publicari fecerunt; asserentes in ipso libello dictum Bonifacium non esse papam, sed Coelestinum Papam V, quem captum ipse detinebat."—*Ibid.* p. 435.

* *Histoire*, &c. ubi sup. p. 34.

† For instance, Florence: "Il commune di Firenze vi mandò in servizio del Papa seicento tra balestrieri e pavesari crociati con le sopransegne del commune di Firenze."—Gios. Villani, ubi sup. p. 37. Simon della Tosa *cron.* sub Anno 1297. Orvieto likewise, as Manenti informs us, and Matelica, did the same.—*Ap. Petrini*, p. 148.

‡ *Annales Forolii*. R. I. S. tom. xii. p. 174.

§ P. 140.

literis consignarat Dantes Aligherius. . . . *Sed probrosi hujus facinoris narrationi fidem adjungere nemo probus velit. . . .* Ferretus hæc a satyrico poeta ambabus manibus excepit, quippe et is ad maledicendum pronus. A quo autem fonte hauserit hic auctor universam ejusdem pontificis historiam, *contumeliis ubique ac pæne maledictis contextam* conjicere poteris, Lector,") might he not be speaking in anticipation of a more modern work?) "ab illis verbis quæ aliquando intermiscet, *dijudicant, ferunt*; ea siquidem procul dubio indicant *iniquos vulgi rumores corrupti a famosis*, ut aiunt, *libellis Columnensium Urbe depulsorem*. Ceterum illustres ipsius virtutes, et præclare gesta enarrant cœvi scriptores apud Rainaldum quem vide."* Yet this author, so characterised by Muratori, is the one whom Sismondi implicitly follows, without even intimating to his readers that there exists any other account! But did Guido of Montefeltro come to the siege, or give the perfidious advice attributed to him by Dante? We see many very strong reasons for doubting,—indeed for totally denying it. Guido of Montefeltro, whose posterity long ruled in Italy with honour, as Dukes of Urbino, was renowned as a general during his life, and in the early part of his career, was a powerful enemy of the Church. In 1286, he was reconciled to the Holy See,† and continued faithful to it; till at length, weary of the world and its vanities, he applied for permission to exchange his helmet for the cowl, and his belt for the cord of the humble St. Francis.

Father Wadding has given us the letter addressed by Boniface to the Franciscan provincial of La Marca, in which he gives his consent to the pious desire, which he considers manifestly coming from God.‡ The instrument is dated Anagni, July 23, 1296. In the month of November following, he took the habit at Ancona. This remarkable change of life could not but powerfully strike those who witnessed it; and accordingly we find it entered into almost every contemporary chronicle. But suppose that, after a time, the friar had again been transformed into a soldier, had he once more returned to the camp, and superintended the siege of Palestrina, is it not as probable that so strange an event would have been equally noticed? And yet not one alludes to it.

* Note to Ferretus, ubi sup. p. 969.

† Istoria Fiorentina di Giachetto Maleaspini, cap. cccxviii. R. I. S. tom. viii. p. 1045.

‡ Annales Minorum, tom. v. ed. 2 a fol. 349.

Wadding justly observes, that the simple statement, by grave and competent witnesses, that he persevered to his death in saintly humility and unceasing prayer, is surely to be preferred to the fictions of poets.* No one, we imagine, will be inclined to doubt the truth of this assertion, which refers to the statement of Marianus, and James of Perugia, a contemporary writer. We will content ourselves with giving a few extracts more from such authors, to strengthen his argument.

The Annals of Cesena thus speak of Guido: "Millmo. cclxxxxvi die xvii Novembris, Guido Comes Montis Feretri, Dux bellorum, Fratrum Minorum est religionem ingressus. Currente mcccxcviii die Dedicationis B. Michaelis in Civitate Anconæ est viam universæ carnis ingressus, et ibi sepultus."† Ricobaldus of Ferrara, simply writes, "Guido Comes de Monteferetro quondam bellorum dux strenuus abdicato sæculo Ordinem Minorum ingreditur, in quo moritur."‡ And in another work he writes of him as then living: "Hoc tempore Guido Comes de Monteferetro, Dux bellorum strenuus, depositis honoribus sæculi, Minorum Ordinem ingressus est, ubi hodie militat in castris B. Francisci."§

The Bolognese Chronicles thus speak of him: "1296. Il Conte Guido di Montefeltro, nobile e strenuo in fatti d'arme . . . abbandonato il mondo, entro nell' Ordine dei Frati Minori, dove finì sua vita."||

This silence of all chronicles on so extraordinary an event, is certainly a powerful argument against the assertions of sworn adversaries at a considerable distance from the scene. Several other considerations concur to make us still further disbelieve the latter. First, their disagreement about important circumstances. Ferrettus, for instance, makes him actually come to the siege of Palestrina, and examine the fortifications, and pronounce them impregnable; and then, as Sismondi follows him, ask, before giving his perfidious counsel, for absolution "perpetrandi criminis."¶ On the other hand, Pipino tells us that he positively refused to

* "At domestici testes, et serii scriptores, dicentes hominem in sancta religione et perpetua oratione reliquos vitæ dies transegisse, et quam laudabiliter obiisse, præferendi sunt poetarum commentationibus."—Ib. fol. 351.

† *Annales Cesenates*, R. I. S. tom. xiv. p. 1114. This passage confirms the date assigned by F. Wadding, from Rubæus, to Guido's death.

‡ *Compilatio Chronologica*, ib. tom. ix. p. 253.

§ *Hist. Imperat.* Ib. p. 144. || *Cronica di Bologna*, R. I. S. tom. xiv. p. 209.

¶ *Ubi sup.* p. 970.

come, on account of his age and his religious vow; and therefore must have only sent to Boniface his bare suggestion.* Now surely this discrepancy between the only two historians who relate the story, upon so palpable and important a fact, as whether Guido was or was not at the siege, and acted the part of a general, is fatal to the whole narrative. Secondly, the total absence of any document on the subject in Boniface's Regesta. By this name is understood the original transcript of all documents issued in a pope's reign, the collection of which compilations forms the bulk of the Papal Archives. Those of Boniface consist of immense volumes, (one, we believe, to each year), in which are beautifully written on vellum every letter, rescript, or decree issued day by day, divided into two classes, the second of which is formed of what are called the Curial Letters. When we read the history of Boniface's active life, and find that, notwithstanding his constant changes of residence, every document is entered in a fair hand, without an erasure, or sign of hurry, we are led to form an advantageous idea of the order and regularity of his civil and ecclesiastical administration. But then the total absence of any document relating to a supposed transaction of his reign, must be equivalent to a contradiction of its having taken place.

To come to our present case: we have found in the second volume of his Regesta, Ep. 63, a letter by which Conrad of Montefeltro, *citatur ad Curiam*, is summoned to Rome on business; and another in the Curial Epistles (No. 2), in which Guido himself is summoned to come to Rome by a certain day, that the Pope might consult with him on important affairs relative to the pacification of Italy. Again we have seen that the document exists, (and it is in the Regesta), naming Landulf Colonna captain in the expedition, and a similar one is there relative to Matthew Colonna, who took a like part against his family.† Now is it credible that not a trace should exist, in this collection, or in any other part of the papal archives, of any second summons to Guido, either directly or through his religious superiors, to come to the camp, nor any appointment of him to hold command or act as counsellor in the war? Yet it is even so. Not

* "Qui cum constantissime recusaret id se facturum, dicens se mundo renuntiasset, et jam esse grandævum, Papa respondit," &c.—*Ibid.* p. 741.

† *Lib. iii. Ep. 598.*

content with our own opportunities of research, we ventured to apply to the obliging and experienced prefect of the Papal Archives, to have a more minute examination made. The result the learned prelate has not only kindly communicated to us in person, but given to the world in an essay just published. We extract the following, sufficient for our purpose: "What shall I say of the advice supposed to have been given by Guido of Montefeltro to the same Boniface, on the siege of Palestrina, which he refused to undertake, because, to succeed, it was necessary to commit a sin, from which, however, Boniface showed himself most ready to absolve him? This account is Dante's, a notorious Ghibelline. Requested several times by the same person to search in the Vatican archives, if any document could be there found, bearing upon the circumstance: I can pledge my honour that I have not found any such;—a certain proof that none exists. The letter, at least, by which Boniface summoned Guido to come, ought to have come under my eye; but not even of this is there any trace in the Vatican *Regesta*."* This absence of any document in such a place is, we think, conclusive evidence against the supposed occurrence. Lastly, we consider the whole a fable, because we are satisfied that no such perfidious course as the narrative supposes, was pursued.

6. For, to come to the last part of Sismondi's account of the Colonna contest, we deny that Boniface offered such terms as are described, or that the city was delivered to him under conditions which he violated, or that the Colonnas, warned that their lives were in danger, refused to come to him, but fled. Before we proceed to the confutation of this account, we must go a little back. After the publication of the Colonna manifesto, the heads of the family remained entrenched in Palestrina; and, on the fourth of September, it was understood that hostilities would commence. Upon this, the municipal authorities of Rome held a solemn parliament in the Capitol, and sent a deputation to Palestrina to induce the Colonnese to humble themselves before the Pope, and make full submission. They promised every thing that was required, and the deputies then proceeded to Boniface at Orvieto, and interceded for them. He yielded, and promised to admit them to mercy, on condition of their yielding up

* *Diplomatica Pontificia*. Rome: 1841. p. 23.

their castles and persons.* Instead of this, they openly received into their walls, Francesco Crescenzi and Nicola Pazzi, his avowed enemies; and, in addition, some emissaries of the king of Aragon, with whom he was at war. Then, and not till then, first on the 18th of November, and again on the 14th of December, he passed his final measures for war.† This treaty or covenant cannot, of course, be the one of which Sismondi speaks: but we have thought it right to relate its history, to show the character of those with whom Boniface had to deal, and the nature of the contest.

The city of Palestrina was vigorously besieged, and as vigorously defended; the question is, was it at length delivered up, under promises which were not kept? We answer, certainly not; and here our proofs are, to our minds, conclusive. In 1311, Clement V, at Avignon, consented to a process being instituted against the memory of Boniface, by Philip of France, Nogaret, the Colonnas, and all his other enemies. The preliminaries indicated anything but a wish to favour his predecessor. In the bull upon the subject, he is full of commendation of the king, and fully acquits him of any improper motives; while he ordered all the letters and decrees against France to be expunged from the *Regesta*. This was done, as appears from their volumes; though fortunately the friends of Boniface had copies of many preserved. Full liberty was likewise granted to any one to bring forward accusations against him. The Colonnas charged him with the very crime imputed to him by Sismondi, of having received surrender of their city and castles under express compact, "*per bullas et solemnes personas*" (Roman ambassadors or deputies), that he should only plant his banner upon the walls, leaving their custody in the hands of the family. We have two answers to this charge: one a compendious one, which

* After recounting the course pursued by the deputies, first in regard to the Colonnas, then to himself, he thus proceeds: "Nos igitur illius vices gerentes, qui mortem non fecit, nec delectatur in perditionem virorum et filios . . . humiliter revertentes suaque recognoscentes peccata ad penitentiam libenter admittit, prefatis schismaticis, hostibus atque rebellibus" . . . (here follow the conditions) "gremium non claudemus quin eos taliter redeuntes, sic misericorditer et benigne tractemus, quod sit gratum Deo, honorabile nobis et ipsi Ecclesie, et ex nostris, et ipsius Ecclesie actibus exemplum laudabile posteris relinquamus." Apud Petri, ex Archiv. S. Angeli, p. 420. What a different idea of Boniface's character do these words give us from modern historians' delineation of him! Who, on reading these words, does not believe that he would have acted mercifully?

† See Petri, 147.

we would gladly give at length,* the other more detailed, put in by Cardinal Francesco Gaetani, existing in a parchment in the Vatican Archives. We will give the substance of the replies, corroborating them with collateral evidence. . . . First, then, it is clear that no such compact was made with the Colonnas, because they cast themselves at the Pope's feet and sued for mercy. Sismondi tells us that, admonished of danger to their lives if they came before the Pope, after they had agreed to surrender the town, they fled, and did not venture near him. Cardinal Cajetan states, that the Colonnas coming from Palestrina to Rieti, went dressed in black and with cords round their necks, from the gates to the Pope's presence, and prostrated themselves at his feet, one of them exclaiming: "*Peccavi pater in cœlum et coram te, jam non sum dignus vocari filius tuus;*" and the other adding: "*Afflixisti nos propter scelera nostra.*" Now for this account, which is in flat contradiction to the one preferred by our historian, the cardinal appeals to the cardinals and prelates there present, and to the Prince of Taranto, who was on the spot and willing to bear witness.† This narrative is confirmed by abundant testimony. Pipino gives it in his own way. He tells us that they came to him as above described, and that the Pope "*spretis lacrymosis eorum confessionibus atque precibus, velut aspis surda, non est misertus eorum.*"‡ But the latter statement is contradicted by others, as well as Cardinal Francis. A chronicle of Orvieto says, that they were received "*a Romana curia cum letitia multa.*"§ Villani, who asserts the town to have been treacherously taken possession of and destroyed, tells us, that "*the Colonnese, clerks and lay, came to Rieti, and threw themselves at the Pope's feet for mercy, who pardoned them, and absolved them from their excommunication.*"|| Paolino de Piero, no friend of Boniface's, says, that they came *for mercy*, "*whom the pope graciously, and in a kind manner, (*graciosamente e di buona aria*) pardoned, and absolved from excommunication; then Palestrina was destroyed according to compact.*"¶

Secondly; when they came to Rieti, the city was already in the Pope's hands, his general having possession of it. Is it likely that he would, after this, have contented himself with

* Ap. Petrini, p. 431.

† Petrini, ubi sup.

‡ Ubi sup. p. 737.

§ Quoted by Pet. p. 422.

|| Ubi sup. p. 39.

¶ Cronica. R. I. S. tom. ii. p. 53.

only having his standard there, or enter into terms with his subdued rebels?

Thirdly; the cardinal denies that any such bulls, as those asserted, existed or could be produced, as none were.

Fourthly; he contradicts the assertion that any ambassadors or mediators were present, but only such intercessors as the Colonnas had themselves brought.

Fifthly; he asserts, that there was no truth in the assertion that the Pope, after forgiving them, and imposing a penance on Stephen Colonna, sent knights after him to slay him.

Such is the evidence in favour of Boniface, of which it is useless again to complain, that not the slightest notice is taken, or hint given, by the historian of the Italian Republics. But the cause of Boniface, from whose "process," as it is called in the Vatican Archives, these documents are extracted, was solemnly examined and judged by the general Council of Vienne, convoked and held in 1312, in great measure for that purpose. The decision was entirely in his favour; his memory was discharged from the slightest imputation, in the face of every hostile influence, ecclesiastical and civil. He was charged with heresy, witchcraft, idolatry, and disbelief. The proof of his idolatry was, that he had his portrait engraven on some of his gifts to churches; therefore he wished it to be worshipped. Of his disbelief in the real presence, that he turned his back on an altar while mass was celebrating. The answer was, the abundance of tears with which he celebrated the divine mysteries, and his splendid presents to many altars!*

We must now hasten to his closing scene, a subject, no less than his opening one, of gross misrepresentation. On one point, indeed, all do him justice, in his noble bearing and intrepidity when taken by his enemies. William of Nogaret, with a French force, and Sciarra Colonna, who, with his family, had long forgotten the pardon of Rieti, with a band of retainers, made their way through treachery into Anagni, the city so cherished and favoured by Boniface. They ran through the streets shouting "Long live the king of France, and death to Boniface!" The people, panic-struck, offered no resistance; and the two bands having forced their way into the palace, entered at different moments and by different ways the papal presence chamber. In the meantime Boniface had arrayed himself in full pontifical vestments; and seated on his throne (or as Sismondi writes, kneeling before the altar) with a

* Raynald. ex Processu, p. 550, ad An. 1312.

crucifix in his hands,* over which he hung, the venerable old man calmly awaited the approach of his enemies. The impetuous Sciarra, at the head of his band, with his drawn sword outstretched for vengeance, rushed into the room, but stood on the threshold, overawed and irresolute, before his lord. William of Nogaret followed, with his party, and less abashed, insultingly threatened to carry him off to Lyons, to be deposed by a general council. Boniface replied with a calm dignity, which abashed and humbled the daring Frenchman: "Here is my head, here is my neck; I will patiently bear that I, a Catholic, and lawful pontiff and vicar of Christ, be condemned and deposed by the Patareni.† I desire to die for Christ's faith, and his Church."‡ This scene, which we only wonder has never been chosen as the subject of the artist's pencil, exhibits beyond almost any other in history, the triumph of moral over brute force, the power of mind arrayed in true dignity of outward bearing over passion and injustice. Even Dante relented at its contemplation, and indignantly sang of his enemy—

"Veggio in Alagna entrar lo fiordaliso
E nel vicario suo Cristo esser catto.
Veggiolo un'altra volta esser deriso;
Veggio rinnovellar l'aceto e 'l fele
E tra vivi ladroni essere anciso."§

After three days' captivity, the people, aroused from their lethargy, liberated him; and in a few days he was conducted to Rome, where on the thirtieth day he died. That his death may have been accelerated by the shock and sufferings of his captivity is not wonderful, considering that he was in his eighty-seventh year, and that his high and sensitive mind would be powerfully affected by the ingratitude of his subjects, and the insults inflicted on him. But such a view would

* See the account in Villani, cap. 63, p. 116. Pipino tells us he had in his hand a portion of the true cross; and that, like our St. Thomas, he exclaimed: "Aperite mihi portas camerae, quia volo pati martyrium pro Ecclesia Dei." l. p. 740.

† Nogaret's father had been punished for heresy.

‡ This was proved in his process. See Rayn. ubi sup. Rubæus, p. 214.

§ "Entering Alagna, to the fleur-de-lis
And in his vicar, Christ a captive led!
I see him mocked a second time;—again
The vinegar and gall produced I see;
And Christ himself 'twixt living robbers slain."

Wright's *Dante*—*Purgatory*, Canto xx. l. 86-90.

have aroused only our commiseration; and it was deemed expedient that the sympathies excited by the scene of his capture, should be effaced by a spectacle of another character. Sismondi, therefore, again takes Ferrettus as his guide, and tells us that Boniface, imprisoned in his apartments by the Cardinal, fell into a violent passion, turned out his faithful servant John Campano, bolted the door, and after gnawing his staff, dashed his head against the wall, so as to embrown his grey hairs with blood, and then strangled himself with the bed-clothes.*

We suppose Sismondi was ashamed to follow Ferrettus to the extreme; and therefore omitted that he had gnawed his entire stick, a good long one, to bits, ("baculum satis procerum dentibus conterit" and again; "baculo minutatim trito") that he invoked Beelzebub, though nobody was in the room to hear him, and that he was possessed by the devil.† These things would have rather been questioned in France of 1809; they are therefore prudently omitted, and just as much taken of the narrative as makes a good romance. For romance it is from beginning to end. At the foot of the page which M. Sismondi was quoting, he had Muratori's point blank declaration that the whole story is an *unworthy lie* ("indignum mendacium"), and reference is made to where a full confutation was to be found. But to have made Boniface die in his bed, with the sacraments of the Church, and like a good Christian, would have been very tame indeed, and spoilt all the point of the melodrame which M. Sismondi had made of his history. Yet I fear we must be content with this less tragical, but more consoling view of Boniface's end. In his process it was proved, that lying on his bed through illness, "he, according to the usage of the Roman Pontiffs, recited and made profession of all the articles of faith in the presence of eight cardinals, concerning which the letters are extant of our brother, Cardinal Gentili;"‡ and again, he is said "to have professed in the presence of many cardinals, and other honourable persons, that he had ever held the Catholic faith, and wished to die in it."§ Again Cardinal Stephanesinus, an eye-witness, gives us the same account, and assures us that his death was most placid;—

——— "Christo dum redditur almus
Spiritus, et divi nescit jam judicis iram,
Sed mitem placidamque patris, ceu credere fas est."||

* Sism. p. 150. † Ubi sup. p. 1008. ‡ Process. p. 57.
§ Ibid. p. 131. || De Canoniz. Cælest. lib. i. cap. xi. R. I. S. tom. iii. p. 660.

[Surely, for the very honour of humanity, these authentic accounts ought at least to have been alluded to. But what are we to say to his dashing his head against the wall, and his haggard and frightful looks when dead, mentioned by Ferratus? who, moreover, adds, that his corpse was buried in the earth, with a marble placed over it? Or of his hands and fingers gnawed, as some write?* It pleased Divine Providence to give a striking confutation of these calumnies, in 1605, exactly a hundred years after his death. The chapel in the Vatican, which he had built for his tomb, had to be taken down, and his body removed. The tomb (a sarcophagus, not the earth) being opened, his body was found almost completely incorrupt, with a most placid expression; so perfect, that the smallest veins could be traced. It was carefully examined by medical men, and a minute *procès verbal* was drawn up by a notary of its condition, and of the gorgeous pontifical robes in which it was attired. This may be seen at full length in Rubæus.† Now, it is certain that nature does not cicatrize wounds after death; and yet not a trace could be found of any on the head; the skin was entire: and as to the gnawed hands, they were so beautiful, “as to fill with admiration all who saw them.”

We may now draw to a close. We trust what we have written may suffice to put readers on their guard against the bold assertions of historians on subjects like these. We must not, however, omit one or two remarks. Although the character of Boniface was certainly stern and inflexible, there is not a sign of its having been cruel or revengeful. Through the whole of his history not an instance can be found of his having punished a single enemy with death. When he sent John of Palestrina to Cardinal Colonna, he might as easily have sent a body of his guards, and brought him by force into his presence. When the Colonnas all came before him at Rieti, he had them completely at his mercy; yet he hurt them not. How, then, can Sismondi's insinuations stand, that he intended to put them to death? Again, he forgave Guido of Montefeltro his many offences, as he did Ruggieri dell' Oria, another capital enemy of the Church.‡ When he

* “Mori, secondochè per più si disse, di rabbia, e mameandosi le mani.”—Paolino de Piero, ubi sup. p. 65.

† P. 346.

‡ “Questi Ruggieri dell' Oria era molto stato gran nemico della Chiesa e del Re Carlo, al quale a prego della Reina e di Don Giacomo, Bonfazio che allora era papa, benignamente e graziosamente perdonò.”—Paolino di Piero, p. 50.

was returning to Rome, after his liberation, in a triumph never before witnessed, Cardinal Stephanesius tells us that his principal enemy was seized by the people (Muratori supposes it to have been either Sciarra Colonna, or Nogaret;) and brought before him, that he might deal with him, he freely pardoned him, and let him go.* So, likewise, when Fra Jacopone fell into his hands, he dealt leniently with him, and confined him, where others would have treated the offence as capital.† These examples of forgivingness and gentleness, to which we might add others, ought surely to have due weight in estimating the pope's character.

Moreover, we do not find, in any writer, however hostile to him, the slightest insinuation against his moral conduct or character, and this is not a little with regard to one who has been more bitterly assailed than almost any other pontiff. The charge of avarice, which has been often repeated, may well be met by the liberality displayed in his ecclesiastical endowments and presents, especially in favour of St. Peter's Church. His justice seems universally to have been acknowledged. Hallam attests the equity of his award between England and France,‡—he reconciled the republics of Genoa and Venice; and all his negotiations between powers were to bring about peace. Even his most energetic transactions had this in view. Nearer home, Florence, as Dino Compagni assures us, called him in to decide in its own differences, about compensation to Giano della Bella;§ and the Bolognese, as we learn from Matthew de Griffonibus, sent three ambassadors to him, and he was chosen arbitrator between them, Ferrara and Modena.|| Velletri named him its Podesta, or chief governor; Pisa voluntarily appointed him ruler of the state, with an annual tribute,—and when he sent a governor there, it was with orders to swear to observe the laws of the place, and to spend all his income upon it.¶ In fine, Florence, Orvieto, and Bologna, erected statues to him at a great expense, in token of their obligations and admira-

* Ubi sup. p. 459.

† See the beautiful history of this holy man (though in this part of his life led astray by mistaken zeal), in the tenth book of the delightful *Mores Catholici*, p. 407. The preceding page gives an account of Guido of Montefeltro.

‡ Europe in the Middle Ages, ubi sup.

§ Cronica, lib. i. R. I. S. tom. ix. p. 478.

|| Memoriale Historicum, lb. tom. xviii. p. 131.

¶ Rub. ex Archiv. S. Aug. p. 90.

tion.* Of his literary acquirements we need not speak: no one has disputed them; and the Sixth Book of Decretals will attest them so long as Christ's undying church shall last.

ART. IX.—*Annals of the Propagation of the Faith.* Vol. I. 1840.—Vol. II. 1841.

AT the close of the third year since these *Annals* were first translated from the French, we think we cannot do better than take a slight review of the series since they have thus been made more completely accessible to the English public; and, in doing so, note the progress of the good work with which our country has now the honour and happiness to be associated. There is an analogy between these modest records of glorious deeds, and the simple means which are employed to accomplish them. The collected halfpence of children, of the poor, of ignorant artizans and peasants, whose knowledge of the world they live in is bounded by the half-dozen fields or streets adjoining their own obscure dwellings:—these will evangelize the world; and the humble, *naïve*, detached letters of the missionaries, toiling in their inaccessible retreats, form in these annals such a body of astonishing facts, of touching incidents, of evidences of the truth and power of our faith, and of varied information concerning the condition of our fellow-creatures, as we are bold to say no other book in the world can parallel. There is no Catholic who has not perused with disgust and perplexity, in the news of the day, the records of the changes, revolutions, and strife, now going on all over the world. We look into them with a consciousness that upon such subjects we cannot be indifferent; a great mystery is carrying on under our eyes; the antagonist principles of good and evil are fighting the great battle; there is not a revolution, not a change of rulers, not an event of any kind, which does not contribute to forward or retard the progress of the Catholic Church; but where shall we find the clue to their hidden tendency? most frequently in these *Annals*. Possessed of these, the Catholic whose faith is strong in the power of his religion, can more

* "Dicto anno (1301) statua sive imago Papæ Bonifacii VIII posita fuit in palatio Bladi."—Cronica di Bologna. R. I. S. tom. xviii. p. 304.

securely prognosticate the fate of nations than those whose reasonings are based upon political economy. To take a single instance; how perplexing, painful, and contradictory have been the speculations concerning the new state of Texas? by some the assertion of its independence has been hailed with rapture; their "freedom" has been greeted with all the jargon of false liberality, yet not without a due reference to our own narrowest interests. The Texians were to become wealthy customers for our produce; properly managed, they might be converted into antagonists, at least an opposition, a balancing power, to our brethren of the United States. By another party we have heard them denounced as rebels (against the Mexicans! who have shown by their mode of governing themselves, how unfit they are to govern other people), outcasts, and the future encouragers of the slave-trade. For our own parts, knowing that this land—favoured by every blessing of nature—will be peopled, will grow up into a great nation, we are happy not to adopt either of these views. In the letter written by M. Timon, from Houston, we find reasons for anxiety respecting this new nation, but ample grounds of hope for its future destinies; and although we have no very recent accounts, we are, nevertheless, satisfied that the principle of vitality and order has been introduced there, and is growing with the growth of its society.

"The population of Texas is at present [1839] two hundred thousand souls, and is every day increasing rapidly. As the state contains seventy thousand square leagues, there is an immense extent of land uncultivated, for want of inhabitants. The climate is excellent and the soil fertile.

"Throughout this vast country there are only two Mexican priests, whose conduct is, unfortunately, not the most irreproachable; they reside at San-Antonio de Bejar, a town which contains fifteen hundred Mexicans, and fifty American Catholics, with about one hundred Protestants. The town possesses a beautiful church, which would not be built at present for £30,000; it has been considerably injured by fire, and is moreover kept in a disgusting state by the negligence of the priests to whom it is entrusted. Faith is not extinct amongst the flock, though they are discouraged by the bad example of the pastors. The Church possesses considerable estates, and the country round is the finest and most fertile in Texas, and perhaps in all America. The climate is also healthy."

"Two leagues to the southwest of Goliad, is the town, or rather the village of Refugio; the whole of its population consists of forty families of Irish Catholics; it possesses a church, which suffered much during the war, but which might be repaired at little cost.

It possesses some land, which might be sufficient for its support, and a trifling revenue is secured by law. Four square leagues (about eighty thousand acres) are destined for an establishment of education; a desire has been manifested to transfer this immense property to a Catholic institution, and there is every reason to believe that the Texian government would willingly consent to such a measure.

"The senators of San-Antonio are disposed to solicit from the government the grant of four square leagues of land for a Catholic College, and have no doubt of succeeding, if they were sure of having Catholic priests ready to undertake the establishment. As the situation of San-Antonio is the most healthy in all America, a great many children would be sent to the college, and in the course of time, even the youth of Mexico would be drawn there. I am most anxious to be able to undertake this good work, which would furnish immense resources to the mission.

"Houston is the capital of the new republic. Two years ago there was not a single house on the spot where it is built, nor within two leagues around; and now it contains a population of five thousand, including three hundred Catholics. We arrived at that town on the 3rd January; and as it was crowded to excess, in consequence of the meeting of Congress, we were a long time looking for lodgings. I have not brought any letters of introduction with me, and all those to whom I applied seemed to be afraid of a priest, or ashamed to be known as Catholics. There happened to be, however, on board the vessel which conveyed us to Texas an Irishwoman, to whom I had rendered some little service during the voyage; by her influence with a Protestant lady, she procured us a small miserable room, in which we prepared an altar, and celebrated the Holy Sacrifice on the octave of St. John the Evangelist. On the same day I had the good fortune to meet a senator and two members of Congress, with whom I had made acquaintance, and by whom we were put in communication with the Catholic members of the Congress. They readily gave us all the information we desired, and introduced us to the most influential members of the republic. I was invited to preach on the following Sunday in the hall where the Congress holds its sittings, and in the presence of the representatives of the state, and a considerable concourse of people, amongst whom were four Protestant ministers. After the sermon, which lasted an hour and a half, Mr. Burnet, vice-president of the republic, expressed a wish that I would call upon him; and many senators, and other persons of distinction, made me an offer of their services. From that time forward none were ashamed to declare themselves Catholics, and I had soon the consolation to discover that there were many sheep in Houston belonging to the fold of the Saviour. We concerted together on the means of obtaining a proper site and the resources necessary to construct a Catholic

church. All entered with ardour on the undertaking, and gave me every assurance that it should soon be finished; it will be the first religious edifice constructed at Houston. There are many Protestant ministers in the town, but they have not yet been able to construct a place of worship. Those of them who were present at the sermon in which I developed the Catholic doctrine, did not notice it in any of their religious meetings: it is true that I endeavoured on the occasion to imitate St. Francis of Sales, and speak on controversy without however seeming to seek it.

"Every day some persons assisted at mass, and on Sunday we had a considerable number; I heard the confessions of seven persons, the first fruits of the mission of Texas. I was introduced to General Houston, ex-president of the republic, who manifested much attachment to the Catholic religion. I paid a visit to the vice-president, and was invited to breakfast with him; he soon turned the conversation upon religion, expressed in the politest terms his objections, and appeared satisfied with the explanations I gave him: as I could not remain to discuss with him at length the important questions upon which he required to be enlightened, he permitted me to send him some books, which I hope may bring conviction to his mind. * * *

"In two or three years the Church of Texas will be able to support itself: but at the present moment everything is to be organized, and that cannot be done but at considerable expense. Everything is very dear here; the number of emigrants is so great, that provisions are at an exorbitant price. In two years hence this will not be the case, but now is the moment for action, otherwise the Protestants will be before us."—Vol. i. pp. 219-24.

It is no less interesting to watch the influence of religion in regenerating an ancient people, than in guiding the progress of a new one. Into the unvenerable age of China we see a principle introduced, which is to raise up a new people from its decay; the "salt" which must preserve it from decomposition. The letters from China are heart-stirring to the last degree; there, in these latter times, the triumphs, the charities, the sufferings of the apostles' days are renewed; there, the glorious martyrdom of Perboyre has been succeeded by a new triumph of the cross—M. Delamotte has died of the fatigues and sufferings of his imprisonment. "There is strong reason to believe that Minh-Menh is anxious to preserve the life of his prisoner. The English at war with China are on the frontiers of his dominions; they might bring him to a strict account for the European blood which he has shed; he will therefore postpone the gratification of his cruelty till their departure." *Hence his blood was not shed; and we*

have since heard, from an authentic source, of the death of the persecutor, Minh-Menh. If this be true, may we not hope, from the coincidence of his death with the English war with China, that a new era is about to open upon the persecuted Church?

In the islands of the Oceanica there is a different problem to be solved by our all-sufficient religion. The missionaries have not there, as in Texas and parts of the United States, to lay the foundations of a *society*, amongst crowds of men assembled from all parts of the world, held together by no common association, no prevailing feeling, little restrained by government, roaming at will over trackless wilds, resuming the reckless unrestraint of savage life, into which they carry the enlarged ideas and multiplied wants of civilization. In the Eastern and Western Oceanica, and in New Zealand, they have a population of naked savages, in many instances cannibals, to train like children, step by step, to civilization as well as faith. There are more glorious missions, there may be many more important to the destinies of the world, but there is not one of which the account is more delightful than that to the Gambier Archipelago, a cluster of four small islands. We experience the same satisfaction in marking their progress, as when we watch the training of a luxuriant and pliant vine, or of a docile child. They truly are guided by a father's hand. The good missionary puts himself at the head of his people, and goes through the small territory to divide it into portions, and the islanders receive each their allotted share with cheerful acquiescence. To rouse them from their southern idleness, the priests set to work themselves, to till the land, and free the roots of the precious bread-fruit tree from the weeds that destroy it; and after watching their labours for some time with wondering admiration, the young men are excited to imitate and to work with them.

“Idleness is here, more than any where else, the source of vice; it is not less opposed to Christianity, than to the civilization of those people; and hence we were anxious to procure, as soon as possible, some means of giving them profitable employment. Though the soil of these islands is naturally very fertile, it had been for a long time so little cultivated that it no longer sufficed for the support of its inhabitants. Such a state of things required to be immediately remedied by prevailing on the natives to clear away the soil which was overspread with reeds, and it is no easy matter to give the inhabitants of Oceanica the habits of constant labour. We were obliged first to preach by example, and await

with patience until they should resolve to imitate us. At last the most active amongst the young men set to work, and were followed by all the others, so that the inhabitants of the different islands rivalled each other in ardour, and amply compensated us for all our trouble. The women, who always work apart, were particularly zealous, and I must say that they display even yet more zeal and emulation than the men.

“At first they worked only to please the missionary, and were delighted when they received his praise, and found their meals much better when portions were distributed by him; we were able besides, thanks to the generous succours of the Propagation of the Faith, to purchase some pieces of calico, and distribute clothing to those who were most remarked for their industry. These little rewards induced them to work, not only without reluctance, but even with a feeling of satisfaction. In the morning they came to work singing, they performed their tasks singing, and in the evening retired to their huts singing too; and we were happy at seeing our Christians derive from an occupation, which had become necessary for their existence, health of body and purity of mind.

“When the harvest came, the crop was distributed amongst those who had taken share in the labour; we added a few yards of calico, and had the satisfaction to see with what joy it was received. Such as were satisfied merely with looking on, (and they were principally the chiefs, (observing with what generosity the earth had recompensed our labour, were made to understand that agriculture is a means of bettering their condition, which is certainly most wretched. Henceforward there were no idlers to be seen, every spot of ground has now its owner, who endeavours to turn it to the best advantage.

“The idleness and improvidence of these poor people were on the point of depriving them of one of the most valuable resources of tropical climates, I mean the bread tree. This useful and necessary fruit was becoming every day more scarce; when we arrived the number of trees was not very considerable. The tree which produces it, is very delicate, and unless kept clear of the weeds which grow round it, gradually perishes. At present the natives take particular care to preserve it, and each endeavours to keep his little property in as good condition as possible, in order to merit the praises of the missionary; yet these poor people have no other weeding hook than pearl shells, and nothing for a spade but a piece of wood sharpened at the end. Ah! how happy would they feel if they could procure from Europe some agricultural implements.”—Vol. i. p. 240.

We have heard much of giving people “new wants,” as a motive for exertion, and have ever considered it very questionable policy; but in this infant community it is religion, not any feeling of selfishness or sensuality, which supplies

these new wants, and the result must be blessed accordingly. After receiving the sacraments, the islanders became so sensible of the dignity of those bodies which had now received the holy unction, that they would no longer endure them to be uncovered; and in their religious eagerness to obtain clothing, they even trenched upon their means of future subsistence, working incessantly to obtain a sort of coarse stuff from the inner fibres of the bark of the bread-fruit tree. It may be supposed what a blessing they considered the calico which the missionaries afterwards procured from France. It was the same spirit—a desire for the comfort of their priests and the glory of God—that induced them first to build stone houses; and ere long we learned that they had begun to build two considerable stone chapels, and were going on well, allowance being made for the trifling hindrances (we will hope since then removed), of ignorant workmen and no tools. From the same source of faith and love were derived their first ideas of pomp and beauty. M. Liausu tells us that—

“This year we had a procession of the blessed sacrament in the three small islands. The altars we erected, though poor and simple, were not, however, altogether without ornament; the wood was decorated with a kind of stuff made of the leaves of the mulberry, and garlands made by M. Laval, who had spent a considerable time in making preparations for the ceremony. The pious Christians of Europe, had they seen the disposition of these altars, could not have helped admiring the address of the workmen, however they might have deplored the poverty of the ornaments. Yet, I must say with regret, that the altars in our churches, formed of intertwined reed, are still poorer, and that our churches have no other ornament or mark of religion than a small cross. Nevertheless the treasures and perfumes which the Lord loves best, faith, fervour, and simplicity, are offered to him on these humble temples. Our Christians conducted themselves with as much decorum as religious could do in France. The king and his uncle carried the canopy, and the inhabitants brought to the foot of the altars whatever they possessed, to offer it, as they said, to the Lord God the Redeemer.”*—Vol. i. p. 236.

* “The path through which the holy sacrament passed was sanded all the way. Children and parents were incessantly employed in preparing for the ceremony, and came to ask permission to work at night, lest they should not have all ready on the appointed day. There were three altars erected in the island: at the procession, the attendants walked in two files; the blessed sacrament being carried in the middle by Mgr. the vicar apostolic. Our Christians brought out all their provisions, and laid them along the passage, that the benediction of our Lord might descend upon them.

And, finally, it is zeal for religion which is enlarging their minds, and prompting them to acquire knowledge which could not otherwise be made valuable or interesting to them :—

“Such are the means we employ to banish idleness from our islands; and already have we had occasion to admire the happy effects of a life of labour. Our Christians work in common, and by their edifying conversations, reciting or singing prayers, they animate each other to virtue; those who are less fervent are influenced by the example of the more ardent, and become in their turn models of piety, docility, and modesty. Their natural dispositions require only to be cultivated; they manifest a great desire to learn, and are sometimes fatiguing by the number of questions they put to those from whom they expect any information. They feel a particular interest in the stories of the Old and New Testament; every time they hear the name of a people or town, they must be told what that people or town was. If there is a question of an Apostle, they must know whence he came, and the country to which he carried the tidings of the Gospel. On other occasions, the questions they put have reference to profane history, particularly to that of England and France. They ask who are the kings that reign in different countries, what are the remarkable events connected with the history of each; and, in particular, what is the form of religion professed there? The proselytes of the Protestant Missionaries assured them that the Catholic religion exists only in France and the Gambier Islands; we, however, removed this erroneous impression from their minds, so that they even feel a pleasure in enumerating all the countries where the true religion is followed, and in shewing that it is much more diffused than that of the Reformation.”—Vol. I. p. 242.

We are not surprised after this to hear of their encouraging their children to learn Latin, that they may serve at the mass; or of the delight with which they beheld the printing-press, when the missionaries had explained to them that by its means they could give them each a copy, which they would teach them to read—of the hymns of the church, already translated into their language.

We will venture upon one more extract, although a long one, to show the peculiar institutions of the Catholic Church, growing up instinctively like the flower from its root among these simple converts to the faith.

“Letter of the Bishop of Nilopolis, Vicar Apostolic of Western Oceanica, to Madame Viard, Superioress-General of the Congregation of the Ladies of the Sacred Heart of Jesus, and of the perpetual adoration of the most Holy Sacrament.

“Madam,—I received with gratitude the clothing which you had

the charity to send our poor islanders. It is to be regretted that at Picpus you are almost our antipodes, otherwise you might form a novitiate here full of fervour. In the beginning, M. Cyprian Liausu had directed fifteen young pious and laborious females to clear away a spot of ground which was overrun with reeds. They proposed to erect a cabin to shelter themselves from the rain, in which they conceived so strong a desire for a life in community, that they erected another near the church. Once settled in the latter, they were unwilling to quit it; their number increased to twenty-four, and would become still more considerable, if we listened to all the demands that are made for admittance. They planted cotton and sweet potatoes; the cotton is not very valuable to them, as they cannot manufacture it; the potatoes serve them for food, and whenever a vessel touches at the island, they exchange the products of their industry for stuff, of which they make clothing.

“In the other islands young females live together in the same manner, but the first are regarded as the models to be followed. I am sure that you would find in the greater number of those young persons, obedience and piety enough to make them excellent novices; they go through work which surprises us a good deal. I lately threatened the *Father-founder*, as we jokingly call him, to interdict him and his convent, if he does not moderate the ardour and activity of their zeal. They call each other sisters, and do nothing without asking the permission of her whom they have chosen for their superioress, who, by her meekness and piety, is certainly entitled to have the direction of others; I know not whether you have amongst your children any of more grave or modest deportment. When she speaks of God, one is surprised to hear her say things which she has never learned. We do not seem to attach any importance to these pious meetings; yet we often admire the virtue, piety, and angelic purity of these young hearts, which have received in baptism a new creation. Of what is not the grace of Jesus Christ capable! I am seriously thinking of sending some of these children to Valparaiso, if, as I hope, you establish a house there. We want three or four young persons who know how to read, write, sew, and spin, and who might thus be able to serve as mistresses to the others.

The ancient mission to the North American Indians has been revived and carried on with the utmost energy by the Society for the Propagation of the Faith, and excites our warmest hopes by the fervour of the neophytes, and the eagerness with which they receive the faith, of which numbers of them preserve a traditional recollection;—the harvest is here so ripe that we think many years cannot elapse before the broken remainder of this noble race will be entirely converted to Christianity. Such an event must give to America

the religious impulse she so greatly needs. No worldliness could withstand the spectacle of such Christians as the Indians make; their good dispositions are so universal, that it is difficult to make choice amongst the multiplied proofs of them. We have selected a passage from the last accounts.

“About thirty of the *Serpent* Indians, although idolaters, were present at our holy mysteries. They wished to have a conference with me, and invited me to take a place at their council. I gave them a rapid explanation of the truths and duties which the Gospel teaches. They all listened to me with the greatest attention, and then retired to deliberate among themselves. At the end of half-an-hour, one of the principal chiefs returned and communicated to me their resolutions. ‘*Black-gown*,’ said he to me, ‘the words of thy mouth have found a way to our hearts, and we shall never forget them. Our country is open to thy zeal: come and teach us how to please the Great Spirit, and thou wilt find that our conduct will correspond with thy lessons.’ I advised them to choose from amongst themselves a sensible and prudent man, who would every day in the morning and evening assemble them together, in order to offer their vows to the Lord; and from that very evening the meeting took place, and prayers were said in common.

“A few days after, we arrived at the camp of the *Flat-Heads* and of the *Pandéras*, or *Ear-rings*. I shall not attempt to describe the reception which these kind Indians had prepared for their *Father*; my entry into their village was a real triumph, in which the men, women, and children took part. The great chief, a venerable old man, who reminded one of the ancient patriarchs, awaited my arrival, surrounded by his numerous warriors, and would have at once abdicated in my favour his sovereign authority; but I observed that he had mistaken the object of my visit, and that the salvation of his people was the end of my ambition. We next deliberated upon the time most suitable to be set apart for religious exercises. One of the chiefs brought me a bell, which was to serve for calling the tribe together.

“At the fall of evening, about two thousand savages assembled before my tent in order to recite together the evening prayer. I cannot express the emotions I felt, upon hearing those children of the mountains singing, in praise of the Creator, a solemn canticle composed by themselves. These two thousand voices, rising in chorus in the bosom of the desert, and with all the ardour of an incipient faith, asking of God the grace to know him better, in order to show to him more love, formed for me in the religious calm of that beauteous night a most sublime concert.

“Every morning at day-break, the old chief went round the camp on horseback, and stopping before each cabin, ‘Come, children,’ he would say, ‘it is time to get up. Let your first thoughts

be for the Great Spirit ! Up, up ; the father is going to ring the bell for prayers.' If he perceived any disorderly conduct, or if the chiefs had made any unfavourable report to him, he addressed a paternal remonstrance to the delinquent, and while proceeding to the place of prayer, a promise of amendment usually followed the admonition.

"The strength of the missionary often fails ; but the attention of this good people never grows weary. I have assembled them four times a-day, in order to explain the doctrine of our Divine Master ; and yet, during the interval, my lodge is always filled with a crowd eager for instruction. 'Father,' say they to me, 'only we fear to fatigue you, we would pass the whole night here ; we forget to sleep when you speak of the Great Spirit.'

"The Lord has blessed their religious earnestness. After the second meeting, I translated, with the aid of an interpreter, *Our Father*, the Apostles' Creed, and the Ten Commandments. Having recited them for some days, in the morning and evening, I promised a silver medal to whoever would know them first. Forthwith, one of the chiefs rose up, smiling, and said, 'Father it is mine ;' and without any faltering, or mistaking a single word, he gained his medal. I embraced him, and on the spot appointed him my catechist. He set about his work with so much zeal, that before a fortnight all the *Flat-Heads* knew their prayers.

"The seed of the divine word sown under such favourable circumstances, could not fail to produce an abundant harvest : six hundred Indians were admitted to baptism, with the great chief of the *Flat-Heads* and the chief of the *Pandéras* at their head. One day, as I was exhorting the catechumens to repent of their faults, 'Father,' said the latter chief, 'I have lived for a long time in the most profound ignorance : I then did evil, not knowing it for such, and displeased the Great Spirit ; but ever since I have known what was evil, I have renounced it, and do not remember since then to have offended God wilfully.' Are there amongst our Christians in Europe many who could give a like testimony of themselves ?"—vol. ii. pp. 335-6-7.

To counterbalance these beautiful incidents, we are too often disappointed by statements which exhibit the Missionaries exhausting time and strength to follow their wandering flocks through their vast deserts. They continually meet wild tribes, who receive their glad tidings as the thirsty earth would water ; but although they can implant the first good impressions, they are absolutely without means of any kind to follow up the work.

We see the wandering character of the Indians attaching itself to their missions, doubtless inevitably, but we regret it ; for, in the increased civilization and strength which sta-

tionary habits alone can give, lie, humanly speaking, the only chance for the preservation of the Indian people—pent up as they are already between the ocean and the encroachments of their dangerous neighbours. Their territory, vast as it is, must fail them as a hunting-ground;—the animals upon whom they live, and with whose skins they trade, are becoming daily scarcer;—they will be borne down by the crafty and industrious white man, and perish in the strife, unless the Church can allure them, as she did the ancient barbarians of Europe, to give up their soul-entrancing freedom for the sound of her festival bells, and the unearthly blessings of her churches and peace-giving convents.

A perfect contrast to this mission, in all external circumstances, is presented to us in the letters from Algiers. Its fervent bishop writes in a tone of exultation befitting a perpetual triumph; and few missions can be more exciting to the mind than his: there is incessant labour, and under a burning sun, but he regards it not; relics of the ancient Christianity of St. Augustine's days, are constantly found, like good omens (if the expression be allowable), cheering him on to hope and enterprise. Gorgeous mosques, with all their treasures, are converted into Christian churches, which the proudest capitals in Europe well might envy. The brave French soldiers, grateful amidst their trials for the comforts of religion, surround every festival of the Church with the glow of their own zeal and spirit. The instructions they are receiving with open hearts they will carry back to their own country, and who can doubt the good that will be done? Yet as a mission conveying light to the people of unhappy Africa, we are not sanguine of its success. The alliance of the sword and the cross has seldom prospered; and, amidst the fierce strife that is now going on, we fear the message of peace may not be received by the natives from the French. We will not, however, conclude our account of this splendid mission with words of discouragement. Circumstances have arisen there worthy of the chivalrous days of the Middle Ages. Let us hope that now, as then, religion will succeed in laying foundations of peace, even amid the wild brawl of human passions.

Extract of a Letter of the BISHOP OF ALGIERS to the Central Council of Lyons, dated the 24th of May, 1841.

" . . . The 19th of May, at noon, after all sorts of negotiation and anxiety, which lasted for more than seven months, I received

from the Khalifa of Abdel-Kader in person, all the French prisoners in exchange for the Arab prisoners whom I brought with me.

"God permitted, by the most strange occurrence, that I had no armed escort, not even a solitary soldier ! and I went to the distance of a league and a half from our advanced posts, into the midst of twelve hundred horsemen, armed to the teeth, accompanied only by two Vicars-General. I held a conference of three hours with the chief of the Arabs.

"During all this time fighting was going on at some leagues' distance : the cannon was roaring in the direction of the pass of Teniah ; I had for all my defence only my crozier and cross. What a scene ! Six hundred unhappy prisoners were singing hymns for their deliverance on the day of the Ascension, when we brought them back in triumph amidst the joyous acclamations of the delighted French and Arabs."—Vol. ii. p. 246.

In India a new beginning (if we may so express ourselves) has been made—hopeful, though small. The Holy See has declared its authority, and sent out its own missionaries. It has denounced the schismatical priests of Goa, and the people are rallying round their pastors : time and patience, and to be left alone, seem now what is chiefly wanting for the success of this vast undertaking. We have seen with great alarm the proofs Lord Clifford has brought forward of a disposition in the local officers of the Indian government to annoy the Catholics. Here such an intention has been strenuously denied and disowned. We trust the indignation of Lord Ellenborough at the charge may produce good results. But, alas ! we cannot forget that under former Tory governments, the Indian Christians have experienced greater discouragement than ever they met with from their ancient Mahommedan masters. Let us hope, however, that the Almighty will stay the hand of persecution from this timid and long subservient people, to whom it might prove especially dangerous. In India, as in every other part of the world, we find the Irish, missionaries of the faith. The zeal, the good example, and the pecuniary assistance of the Irish regiments, have rendered great service to the good cause. We hope for a still greater through their means ; and that, for their sakes, priests from England and Ireland will be induced to visit this our distant country, where their services are so much needed. In fact, the distances are so immense in India, that there a small number of priests can make no sensible impression : they are not sufficient to maintain the faith in existing congregations—still less to convert the heathen. The missionaries go from place to place, seeking as it were to multiply themselves ; and we regret the

time and labour given to these long journeys; yet the accounts given of them are most entertaining. The routes of the missionaries are seldom cast in the beaten track of common travellers, and while pursuing them they are so thrown amongst and upon the people, that whenever they describe manners, or the face of the country in which they labour, although these descriptions are merely incidental, we seem to derive more information, and more distinct ideas, from them, than from volumes of elaborate travels.

We have not space to take even a transient glance at the numerous missions in the east—not one of them without its own peculiar interest;—yet we could fancy—we would fain believe it were *but* fancy—a certain tone of failing hope amidst all the toil, and prayer, and ceaseless exertions, of the missionaries to these old countries—a fond recurrence to their glorious recollections, rather than the joyful anticipations which cheer us elsewhere; as if the torch that had been extinguished and dashed to the ground, might not easily be kindled again: it may be more difficult; but what is impossible to faith? and where could there be a more glorious field for exertion than in the east?—to bring back our separated brethren of the Greek Church? Would not that be an incomparably more brilliant success than any other that even the mind of a Catholic could embrace? Would it not be a *legitimate* triumph to elevate the Catholic Church at Jerusalem, where, undeterred in the worst of times, she has so long kept watch by the tomb of the Saviour, in solitude and desolation? But we can give no preference amongst the numerous apostolic missions, of which we have the records in these delightful volumes. We suppose all the readers of them will (as we have done) attach themselves by a particular charity to some one or more amongst the missions; but there is not one of them all which does not call for and repay our best exertions, and most fervent prayers. It is indeed a matter of astonishment, that the unostentatious Council of Lyons, of which we hear so little (while of its works we hear so much), should be able to exercise such vigilant, unceasing, and impartial superintendence, over such a countless multitude of Churches: not one seems overlooked; from the remotest corner of the world the acknowledgments of gratitude are as full and frequent, as from Algiers. Amidst the distractions and difficulties which Catholics of the present day have to encounter, it is truly a matter of thankfulness that Providence has raised us up such a means of turning our exertions to

account, and has vouchsafed so great a blessing upon them. We are not asked for the countless treasures which our Protestant friends are paying cheerfully, nor have we in return to listen to monotonous and dreary elegies to "hope deferred." As if in consideration of our weakness, we are but asked for such a sum as could scarcely bring an additional privation upon the beggar in the street to pay—two shillings and twopence yearly, a single halfpenny a week, makes a person member of this society ;—is even this gratuitously given? We almost blush to say it—No! For this, every member of the society is entitled to the reading (yearly) of six of these delightful annals—a pleasure, we do not hesitate to say it, which would *alone* be cheaply purchased at ten times the sum,—works in which there is something to interest men of every taste and pursuit, equally gratifying to the heart and the imagination,—and which, beyond all others, a parent would desire to put into the hands of young people—in which stores of new and various information are combined with such examples, such principles, such elevating and fervent spirituality, as must make on any heart a deep impression. Wherever there are a handful of Catholics, there can be nothing more easy than to establish amongst themselves the little organization necessary for circulating the books and receiving the halfpenny ; nothing more direct than the communication with the branch established in London by the Parent Society. Why, then, we ask, is there a single Catholic in the British dominions who has not joined this great company of the faithful—to be in communion with their prayers and good works, to share the gratitude of the converts, and the blessings of their pastors ; to have the happiness of relieving the wants of the servants, confessors, and martyrs of Christ, and to hope for their powerful intercession in heaven. Is not this a privilege we might be thankful to obtain even by a life's labour? It is now brought home to us ; offered freely to our acceptance ; let us tremble to reject it. In conclusion, we have the happiness of believing that all possibility of competition between the Lyons Society and the *Œuvre de la Propagation de la Catholicité*, has been put an end to, by their amalgamation, at the express command of his Holiness ; and that *now* our Society comprehends under its protection *every portion of the globe*.

NOTICES OF BOOKS.

Essays by R. W. Emerson, of Concord, Massachusetts, with Preface by Thomas Carlyle. London: Frazer, 1841.

WE are sorry to say it of a writer whose original style of writing—and occasionally of thought—have beguiled for us many a half-hour; but it is assuredly true, that Thomas Carlyle, in the words of the old *jeu d'esprit*, “has not reputation for two.” His own ideas, the only “realities” if we may believe him, are of a nature to give sufficient exercise to the strongest and most daring imagination; and when they have done so, and when those who love talent have hunted out and built up—by the help of their own imaginations mainly—a foundation of well-meaning and good tendency on which to rest his theories, and by which to recommend them, they must feel disappointed at his editing, and highly commending an author, for whom even he finds it necessary to apologise. He says in his preface, “Emerson, I understand, was bred to theology, of which primary bent his latest way of thought still bears traces. In a very enigmatic way, we hear much of the ‘universal soul,’ of the &c. &c.; flickering like bright bodiless northern streamers, notions and half-notions, of a metaphysic, theosophic, theologic kind, are seldom wanting in these *Essays*. I do not advise the British public to trouble itself much with all that; still less, to take offence at it. Whether this Emerson be a ‘Pantheist,’ or what kind of Theist or *Ist* he may be, can perhaps as well remain undecided. If he prove a devout-minded, veritable, original man, this for the present will suffice. *Ists* and *Isms* are rather growing a weariness. Such a man does not readily range himself under *Isms*. A man to whom the ‘open secret of the universe’ is no longer a closed one, what can his *speech* of it be in these days?” To answer this we should know what is the ‘open secret of the universe,’ which has taken place of the “pleasures of virtue, progress of the species, black emancipation, new tariff, eclecticism, locofocoism, ghost of improved Socinianism: these, with many other ghosts and substances, are squeaking, jabbering, according to their capabilities, round this man.” All these he has discarded. It is not easy to trace it in the works of Carlyle, in which deep thought has been employed in working out propositions long known to humbler and more teachable minds—obvious truths are wrapt up in turgid words—and through the whole runs some idea which even himself dares not look steadily in the face, and which, with all his ravings about “faith,” and “truth,” and “world-wide realities,” is only presented in the most illusory form. Emerson speaks out more distinctly; he has taken a step forward; his worship is of “MAN,” with so little qualification, that we may well start back in horror, wondering to how close an imitation of Satan we might be led by

this closest approximation to the sin of his fall. The author scarce shrinks from the consequences.

"Whoso would be a man must be a nonconformist. He who would gather immortal palms must not be hindered by the name of goodness, but must explore if it be goodness. Nothing is at last sacred but the integrity of our own mind. Absolve you to yourself, and you shall have the suffrage of the world. I remember an answer which, when quite young, I was prompted to make to a valued adviser who was wont to importune me with the dear old doctrines of the Church. On my saying, What have I to do with the sacredness of traditions, if I live wholly from within? my friend suggested—"But these impulses may be from below, not from above." I replied, "They do not seem to me to be such; but if I am the devil's child, I will live then from the devil." No law can be sacred to me but that of my nature. Good and bad are but names, very readily transferable to that or this; the only right is what is after my constitution, the only wrong what is against it. A man is to carry himself in the presence of all opposition as if every thing were titular and ephemeral but he."—p. 50. And, again, "Virtues are, in the popular estimate, rather the exception than the rule. There is the man *and* his virtues. Men do what is called a good action, as some piece of courage or charity, much as they would pay a fine in expiation of daily non-appearance on parade. Their works are done as an apology or extenuation of their living in the world,—as invalids and the insane pay a high board. Their virtues are penances. I do not wish to expiate, but to live. My life is not an apology, but a life. It is for itself, and not a spectacle. I much prefer that it should be of a lower strain, so it be genuine and equal, than that it should be glittering and unsteady."—p. 53.

We have not far to seek even in the author's own admissions, the consequences of these frightful doctrines; in the same page, after bitterly sneering at the abolitionists, he tells us "that the doctrine of hatred must be preached, as the counteraction of the doctrine of love when that pules and whines," and again, "do not tell me, as a good man did to-day, of my obligation to put all poor men in good situations. Are they *my* poor? I tell thee, thou foolish philanthropist, that I grudge the dollar, the dime, the cent I give to such men as do not belong to me, and to whom I do not belong. There is a class of persons to whom by all spiritual affinity I am bought and sold; for them I will go to prison if need be; but your miscellaneous popular charities; the education at college of fools; the building of meeting-houses to the vain end to which many now stand; alms to sots; and the thousandfold Relief Societies;—though I confess with shame I sometimes succumb and give the dollar, it is a wicked dollar which by and by I shall have the manhood to withhold."—p. 52.

In every way, with incredible perverseness and effrontery, the same doctrine is worked out ; under every title it reappears, and not always (unhappily) under the odious colouring which truth would give it ; the bold assumption that a man "shall be what he is" takes at times, under the handling of unquestionable talent, a character of magnanimity and even of grandeur. The power and scope of the human mind (distorted as are the consequences he draws from it) are forcibly illustrated ; we give the following passage as an instance. "It is remarkable that involuntarily we always read as superior beings. Universal history, the poets, the romancers, do not in their stateliest pictures, in the sacerdotal, the imperial palaces, in the triumphs of will, or of genius, any where lose our ear, any where make us feel that we intrude, that this is for our betters ; but rather is it true, that in their grandest strokes, there we feel most at home. All that Shakspeare says of the king, yonder slip of a boy that reads in the corner feels to be true of himself. We sympathise in the great moments of history, in the great discoveries, the great resistances, the great prosperities, of men ;—because there law was enacted, the sea was searched, the land was found, or the blow was struck *for us*, as we ourselves in that place would have done or applauded."—p. 6.

"All inquiry into antiquity,—all curiosity respecting the pyramids, the excavated cities, Stonehenge, the Ohio Circles, Mexico, Memphis, is the desire to do away this wild, savage and preposterous *There or Then*, and introduce in its place the *Here and the Now*. It is to banish the *Not me*, and supply the *Me*. It is to abolish difference, and restore unity. Belzoni digs and measures in the mummy-pits and pyramids of Thebes, until he can see the end of the difference between the monstrous work and himself. When he has satisfied himself, in general and in detail, that it was made by such a person as himself, so armed and so motivated, and to ends to which he himself in given circumstances should also have worked, the problem is then solved ; his thought lives along the whole line of temples, and sphinxes, and catacombs, passes through them all like a creative soul, with satisfaction, and they live again to the mind, or are *now*."—p. 11.

In his constant urging of 'self-reliance,' or in other words self-will as a motive for action, he frequently lays down precepts for singleness of purpose ; or draws pictures of simplicity of character that might be beautiful with a better context :—as in the following passage he says, "Fear never but you shall be consistent in whatever variety of actions, so they be each honest and natural in their hour. A character is like an acrostic or Alexandrian stanza ;—read it forward, backwards or across, it still spells the same thing. In this pleasing contrite wood-life which God allows me, let me record day by day my honest thoughts without prospect or retrospect, and I cannot doubt it will be found symmetrical, though I mean it

not and see it not; my book should smell of pines, and resound with the hum of insects. The swallow over my window should interweave that thread or straw he carries in his bill into my web also. We pass for what we are. Character teaches above our wills."

And occasionally there are passages of what he calls "tart cathartic virtue," which would be excellent, if they could be supposed to be (upon his own plan) possible. We have not mentioned these as tending to recommend the work; considered only as a matter of taste, the reader will not find them sufficient to atone for all the inflated common-place, and the rhapsodies he must wade through. But we have noticed the book because coming from America it is a curiosity; a strange wild graft of German mysticism upon the principle of selfish isolation, so strongly at work in the society of the new world, and which we trace here in all its ramifications; sometimes, prompted by the desire of independence to escape all authority, by owning none; oftener, we think, by the weariness of contradiction, he will not be amenable for his opinions, he will not even explain them, he grasps them with sullen tenacity, determined in his own mind at least to be free from disputation.

A more baleful spirit, a more pernicious tendency, can scarcely be found any where, than in this book, which Mr. Carlyle has introduced, with the most ridiculous flourish, as the "Soliloquy of a true soul, alone under the stars this day." Would that it were alone! One only consolation we find in this work, is the absence of all pretence to religion: that the author has not the true one, we need scarcely say; but he assumes no other: in naked, aimless infidelity he is confronted by that great and solemn church which is daily in his country gaining influence and power, and before which we trust he, and such as he (or at least their theories), will disappear—(we borrow Carlyle's words,)—"with the thousand thousand ventriloquisms, mimetic echoes, hysteric shrieks, hollow laughs, and mere inarticulate mechanical babblements, the soul-confusing din of which already fills all places." (Pref. p. vi.)

A Collection of English Sonnets, by Robert Fletcher Housman, Esq.
Simpkin, Marshall, & Co.

THE very name of this beautiful little work announces a prize to all lovers of poetry; it is a complete collection of sonnets from the time of Henry Howard Earl of Surrey, downwards; and Mr. Housman has introduced into it many by anonymous writers, which he has rescued from annuals, and such light literature, and which are well deserving of the place they now hold amongst those favourite names, which, from association, in themselves are poetry. These calm, sweet, meditative pieces, are more enjoyable, we think, for being brought together; it is pleasant to trace the different

styles of our poets, even through the strict uniformity of the sonnet; and it is pleasant to have these gems of thought, so highly polished and wrought up, presented one by one to the mind, without the intrusion of any other style of writing. The book is as elegantly got up as its contents deserve.

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- HISTORY. (1) *Lingard's History of England*, 2nd edition.
 (2) *Dodd's Ecclesiastical History*, by Tierney, Vols. I, II, III, IV.
 (3) *Tytler's History of Scotland*, 2nd edition, Vols. I, II, III, IV.
 (4) *Moore's History of Ireland*, Vols. I, II, III.
 (5) *Arnold's History of Rome*, Vols. I and II.

IN respect of all these very valuable works we are greatly in arrears. The first will, we trust, receive very soon the justice at our hands which is due to its acknowledged excellence. We have delayed our notice of the new edition for the purpose of more leisurely examining several topics on which this distinguished author and the third name on our list are at issue.

The Rev. Mr. Tierney has well maintained his character for comprehensive research and unwearied diligence, and has collected the most valuable series of historical documents which we have ever seen, illustrative of the modern ecclesiastical history of England. The great delicacy of many of the topics which are discussed by this learned author, and the great extent of his subjects, render it no easy task to institute a critical examination of his valuable labours. We watch his progress with interest, and with a full intention, when he has made a greater advance, of laying before our readers an impartial critical examination of this work, which must take and retain a very high place in the history of British Catholicism.

Of Tytler and Moore we have read enough to promise our readers that they will greatly thank us if we prevail on them to become purchasers of these most interesting works—of both of which we shall before long present in our pages very full analyses. But the interest of both will suffer no diminution from any delay, which will make us acquainted with larger portions of the works.

Dr. Arnold's History is strikingly new and original, when presented to a reader who relies on the recollections of his schoolboy days. The work is of the deepest interest to the scholar and the statesman, and we wait only for the appearance of his third volume to renew our notice of this great acquisition to our literature. We rejoice in the public testimony to this great writer in his promotion to the chair of History at Oxford.

END OF VOL. XI.

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